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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 23rd December 1963:—

Issue No.	No. and Date	Issued by	Subject
260	S.O. 3549, dated 19th December, 1963.	Ministry of International Trade.	Fixation of minimum prices for various grades of rubber and latex.
261	S.O. 3550, dated 19th December, 1963.	Ministry of External Affairs.	The Goa, Daman and Diu (Administration) Removal of Difficulties (Amendment) Order 1963.
262	S.O. 3551, dated 20th December, 1963.	Ministry of International Trade.	Further amendment to Exports (Control) Order, 1962.
263	S.O. 3552, dated 20th December, 1963.	Cabinet Secretariat.	Amendments in the Government of India (Allocation of Business) Rules, 1961.
	S.O. 3553, dated 21st December, 1963.	Ministry of Law.	The Advocates (Removal of Difficulties) No. 2 Order, 1963.
	S.O. 3594, dated 23rd December, 1963.	Ministry of Labour and Employment.	Appointing 23rd December, 1963 on which the Industrial Employment (Standing Orders) Amendment Act, 1963 shall come into force.
	S.O. 3595, dated 23rd December, 1963.	Ministry Information and Broadcasting.	Approval of films specified therein.
	S.O. 3596, dated 23rd December, 1963.	Ministry of Law	Declaration containing the name of the candidate elected in the House of the People by the Panjim Parliamentary Constituency.
	S.O. 3597, dated 23rd December, 1963.	Do.	Declaration containing the name of the candidate elected in the House of the People by the Marmagao Parliamentary Constituency.

Copies of the Gazettes Extraordinary mentioned above will be supplied on to the Manager of Publications, Civil Lines, Delhi. Indents should be sent so as to reach the Manager within ten days of the date of issue of Gazettes.

## PART II—Section 3—Sub-section (ii)

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 26th December 1963*

**S.O. 1.**—In exercise of the powers conferred by clause (a) of sub-section (2) of section 81 of the Representation of the People Act, 1951, and in supersession of its notification No. 83/63, dated the 21st June, 1963, the Election Commission hereby appoints Shri Roshan Lal, Under Secretary to the Election Commission as an officer who may also receive election petitions presented in accordance with the provisions contained in Part VI of the said Act.

[No. 83/63.]

**CORRIGENDUM**

*New Delhi, the 26th December 1963*

**S.O. 2.**—In the Commission's Order No. 13, dated the 13th November, 1963, published as S.O. No. 3218, in the Gazette of India, Part II—Section 3—Sub-section (ii) of the 23rd November, 1963, the following corrections shall be made :—

## 1. In paragraph I—

- (a) In entry No. 69. Nasirabad, for "Nandiani village", read "Mandiani village."
- (b) In entry No. 122. Banera, for "Bowani village", read "Dowani village".

## 2. In paragraph III—

- (a) Under item No. 29,
  - (i) at S. No. 3, for "Barel", read "Barol".
  - (ii) at S. No. 7, for "Dabralla", read "Dabrela".
- (b) Under item No. 29B,
  - (i) at S. No. 31, for "Phalsingha", read "Ekalsingha".
  - (ii) at S. No. 44, for "Chana", read "Ghana".
- (c) Under item No. 34,
  - (i) at S. No. 71, for "Sevhia Khurd", read "Sevnia Khurd".
- (d) Under item No. 35,
  - (i) at S. No. 13, for "Nordi", read "Mordi".
  - (ii) at S. No. 73, for "Naser", read "Nanor".
- (e) Under item No. 37,
  - (i) at S. No. 31, for "Dani", read "Bani".
  - (ii) at S. No. 45, for "Somli", read "Semli".
- (f) Under item No. 38A,
  - (i) at S. No. 12, for "Odon-Ko-Khera", read "Odon-Ka-Khera".
  - (ii) at S. No. 26, for "Bod", read "Bond".
  - (iii) at S. No. 62, for "Pama Khera", read "Pema Khera".
  - (iv) at S. No. 68, for "Gillund", read "Gilund".
- (g) Under item No. 54B,
  - (i) for "Burda tahsil", read "Hurda tahsil".
  - (ii) at S. No. 7, for "Bhatado", read "Bhatade".
  - (iii) after "27. Sadas", insert "28. Nimbahera Khurd".
- (h) Under item No. 54C,
  - (i) at S. No. 3, for "Rakahi", read "Rakshi".
  - (ii) at S. No. 6, for "Mola-Ka-Khera", read "Nola-Ka-Khera".

Sd./- K. V. K. SUNDARAM,  
Chief Election Commis.

[No. 282/L

By Order,

PRAKASH NARAIN

**MINISTRY OF LAW****(Department of Legal Affairs)***New Delhi, the 23rd December 1963*

**S.O. 3.**—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the undermentioned contract made in the exercise of the executive power of the Union be executed on his behalf either by Dr. H. J. Bhabha, Secretary to the Government of India, Department of Atomic Energy, or by Shri M. N. Chakravarti, Project Administrator, Tarapur Atomic Power Project, Department of Atomic Energy, or by both, namely:—

“Contract between the President of India of the ONE PART and (1) General Electric Company, a corporation organised and existing under the laws of the State of New York, U.S.A. and having its principal place of business at 570 Lexington Avenue, New York, N.Y., U.S.A., and (2) International General Electric Company (India) Private Limited, a company incorporated under the laws of India and having its registered office at Thackersey House, Graham Road, Bombay, India, of the OTHER PART, for the construction of the Tarapur Atomic Power Station, including a provision for the indemnification of General Electric Company U.S.A. and International General Electric Company (India) Private Limited and their Suppliers against liability for nuclear risks.”

[No. F. 17(7)/63-J.]

H. C. DAGA, Jt. Secy.

**MINISTRY OF HOME AFFAIRS***New Delhi, the 30th December 1963*

**S.O. 4.**—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and Other Instruments) Rules, 1958, published with the notification of the Government of India in the Ministry of Home Affairs, No. S.O. 2297, dated the 3rd November, 1958, namely:—

1. These rules may be called the Authentication (Orders and Other Instruments) Seventh Amendment Rules, 1963.

2. In rule 2 of the Authentication (Orders and Other Instruments) Rules, 1958—

(i) in clause (x), the word “or” shall be inserted at the end;

(ii) after clause (x), the following clause shall be inserted, namely:—

“(y) in the case of orders and other instruments relating to the Ministry of Finance (Department of Economic Affairs), by a Director or the Senior Accounts Officer in that Department”.

[No. F. 3/14/63-Pub.I.]

FATEH SINGH, Jt. Secy.

**MINISTRY OF FINANCE****(Department of Economic Affairs)***New Delhi, the 23rd December 1963*

**S.O. 5.**—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clauses (i) and (ii) of clause (c) of sub-section (1) of section 10 of the said Act shall not apply and shall be deemed never to have applied to the Punjab National Bank Ltd., New Delhi, in so far as the said provisions prohibit its General Manager from being a director of the National Small Industries Corporation Ltd., being a company registered under the Companies Act, 1956 (1 of 1956).

[No. F. 15(34)-BC/63.]

**S.O. 6.**—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Kamala Bank Ltd., Cooch Behar, in respect of the house property held by it at Patakura, Cooch Behar Town, West Bengal, till the 1st January, 1965.

[No. F. 15(16)-BC/63.]

*New Delhi, the 26th December 1963*

**S.O. 7.**—In pursuance of clause (b) of sub-section (1) of section 21 of the State Bank of India Act, 1955 (23 of 1955) read with Regulation 48 of the State Bank of India General Regulations, 1955, the Central Government, in consultation with the Reserve Bank of India, hereby nominates Shri Kirpa Narain, 4, Raj Narain Road, Civil Lines, Delhi-6 and Shri Narendra Lal, 60, Golf Links, New Delhi-8 to be members of the New Delhi Local Board with effect from the 1st January, 1964.

[No. F. 8/86/63-SB.]

*New Delhi, the 30th December 1963*

**S.O. 8.**—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949) and Rule 16 of the Banking Companies Rules, 1949, the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of

(i) Part II [except sub-section (2) of section 27 and section 28] and Part III of the said Act, and

(ii) all the said Banking Companies Rules [except Rules 1, 2, 3(4), 4(1)(i) (a), 4(1)(ii), 4(2) and 16 thereof]

shall not apply to Grindlays Bank Ltd., till the 31st December 1964.

[No. F. 15(33)-BC/63.]

B. J. HEERJEE, Under Secy.

**(Department of Economic Affairs)**

*New Delhi, the 24th December 1963*

**S.O. 9.**—It is notified for general information that in pursuance of Sub-section (1) of Section 34 of the Industrial Finance Corporation Act, 1948 (15 of 1948), Messrs. S. B. Billimoria & Company, Chartered Accountants, 113, Mahatma Gandhi Road, Fort, Bombay, have been elected by the parties mentioned in sub-section (3) of Section 4 of the said Act, as one of the two auditors of the Industrial Finance Corporation of India for the year ending 30th June, 1964.

[No. F. 2(111)-Corp/63.]

**S.O. 10.**—In pursuance of Sub-section (1) Section 34 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government in consultation with the Comptroller and Auditor General of India, hereby appoints M/s. S. Valdyanath Aiyer & Co., Chartered Accountants, New Delhi as one of the Auditors of the Industrial Finance Corporation of India for the year ending the 30th June, 1964.

[No. F. 2(111)-Corp/63.]

*New Delhi, the 27th December 1963*

**S.O. 11.**—In pursuance of sub-section (2) of Section 21 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government, on the recommendation of the Board of Directors of the Industrial Finance Corporation of India hereby fixes 4½ percent per annum as the rate of interest payable on the bonds to be issued by the said corporation in January, 1964 and maturing on the 1st January, 1965.

[No. F. 2(104)-Corp/63.]

A. K. NATARAJAN, Under Secy.

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**(Department of Revenue)****CUSTOMS***New Delhi, the 21st December 1963*

**S.O. 12.**—In exercise of the powers conferred by sub-section (1) of section 25, read with sub-section (3) of section 160, of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 58-Customs, dated the 1st June, 1960, namely:—

In the said Notification the words "or to a Portuguese possession in India," shall be omitted.

[No. 243/F. No. 90/84/63-L.C.I.]

J. BANERJEE, Dy. Secy.

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**(Department of Revenue)****INCOME-TAX ESTABLISHMENTS***New Delhi, the 24th December 1963*

**S.O. 13.**—In pursuance of clause (b) of sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint Shri H. L. Sud, Income-tax Officer, Class I, as Authorised Representative, Income-tax Appellate Tribunal, Bombay, with effect from the forenoon of the 2nd December 1963, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[No. 68.]

M. G. THOMAS, Under Secy.

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**(Department of Revenue)****ORDER****STAMPS***New Delhi, the 28th December 1963*

**S.O. 14.**—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits [in addition to the remission of duty made in the Order of the Government of India in the Ministry of Finance (Revenue Department) No. 2, dated the 16th January, 1962] the duty with which debentures of the value of rupees three lakhs issued by the Uttar Pradesh Financial Corporation are chargeable under the said Act.

[No. 30/F. No. 1/84/63-Cus. VII/Stamps.]

M. G. VAIDYA, Under Secy.

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**CENTRAL BOARD OF REVENUE****INCOME-TAX***New Delhi, the 13th December 1963*

**S.O. 15.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all the previous notifications in this regard, the Central Board of Revenue hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in column 1 of the Schedule below, shall perform their functions in respect

of all persons and incomes assessed to income-tax or super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:—

## SCHEDULE

Range 1	Income-tax Circles, Wards and Districts 2
A—Range, Ahmedabad.	1. Group Circle, A, B & C, Ahmedabad. 2. Circle V, Ahmedabad. 3. Petlad Circle.
B—Range, Ahmedabad.	1. Group Circles D to J. 2. Central Circle. 3. Special Investigation Circle. 4. Circle II. 5. Circle III. 6. Special Survey Circle. 7. Nadiad Circle.
C—Range, Ahmedabad.	1. Circle IV. 2. Circle I. 3. Circle VI.
A—Range, Baroda.	1. Circle I, Baroda. 2. Godhra.
B—Range, Baroda.	1. Circle II, Baroda. 2. Broach Circle.
Surat Range.	1. Circle I, Surat. 2. Circle II, Surat. 3. Navsari Circle. 4. Bulsar Circle.
Rajkot Range.	1. Rajkot Circle. 2. Morvi Circle. 3. Bhuj Circle. 4. Jamnagar Circle.
Bhavnagar Range.	1. Bhavnagar Circle. 2. Junagadh Circle. 3. Amreli Circle. 4. Porbandar Circle. 5. Surendranagar Circle. 6. Mehsana Circle. 7. Palanpur Circle. 8. Patan Circle.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellant Assistant Commissioner of Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 23rd December, 1963.

*Explanatory Note*

The amendments have become necessary on account of the reorganisation of the Appellate Ranges in the charges of the Commissioner of Income-tax, Gujrat.

(This note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 76 (F. No. 50/6/63-IT).]

New Delhi, the 27th December 1963

**S.O. 16.**—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its Notification S.O. 1480 (No. 25-Income-tax, dated 21st May 1963), dated 1st June, 1963, namely:—

In the said Schedule against 'B' Range, New Delhi under column 2, the following shall be substituted, namely:—

1. Income-tax-cum-Wealth Tax Circles III and IX, New Delhi.
2. Special Circle and Additional Special Circle II, New Delhi.
3. Special Investigation Circles A, B & C, New Delhi.
4. A-I, A-I(1), A-III and Additional A-III Districts, New Delhi.
5. B-II and B-II(1) Districts, New Delhi.
6. Refund Circle, New Delhi.
7. All Business Circles, New Delhi.
8. Central Circle II, New Delhi.
9. Ward Nos. VI, IX(1), IX(2), IX(3), IX(4) and IX(5), Delhi.
10. Special Survey Circles I and II, New Delhi.

*Explanatory Note*

The amendments have become necessary on account of creation of new Income-tax Circles in the Commissioner's Charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 79 (F. No. 50/10/63-IT).]

**S.O. 17.**—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue hereby makes the following further amendments in the Schedule appended to its Notification S.O. 1398 (No. 22-Income-tax/F. No. 50/16/62-IT, dated 17th May 1963), dated the 25th May, 1963, namely:—

In the Schedule under 2, against 'F' & 'R' Ranges, Calcutta, the following entries shall be substituted, namely:—

*'F' Range Calcutta.*

1. District 1(1), Calcutta.
2. District Howrah.
3. Special Survey Circle VII, Calcutta.
4. Special Survey Circle IX, Calcutta (newly created).

*'R' Range, Calcutta.*

1. District III(2), Calcutta.
2. Cinema Circle I, Calcutta.
3. Cinema Circle II, Calcutta.
4. Cinema Circle, Calcutta.
5. Foreign Section, Calcutta.

*Explanatory Note*

The amendments have become necessary on account of creation of new Circles in the Commissioner's Charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 80 (F. No. 50/16/63-IT).]

J. RAMA IYER, Under Secy.

**THE BOMBAY CENTRAL EXCISE COLLECTORATE****CENTRAL EXCISES***Bombay, the 16th December 1963*

**S.O. 18.**—In exercise of the powers conferred by Rule 5 of the Central Excise Rules, 1944, I empower the Superintendents of Central Excise of the Bombay Central Excise Collectorate, to exercise the powers of the Collector within their respective jurisdictions as vested under the proviso to the Government of India, Ministry of Finance (Department of Revenue), Notification No. 156/62-Central Excises, dated the 6th August, 1962, as inserted by the Government of India, Ministry of Finance (Department of Revenue), Notification No. 89/63-Central Excises, dated the 1st June, 1963.

[No. CER/5/6/63.]

G. KORUTHU, Collector.

**COLLECTORATE OF CENTRAL EXCISE, WEST BENGAL, CALCUTTA.****CENTRAL EXCISE***Calcutta, the 2nd December, 1963*

**S.O. 19.**—In exercise of the powers conferred on me under rules 15 and 16 of Central Excise Rules, 1944 as amended under Government of India, Ministry of Finance (Department of Revenue) Notification (C.E.) No. 3/58, dated 11th January, 1958, read with Rule 233 of Central Excise Rules, 1944, I hereby order further amendment to the areas specified in the Schedule to this Collectorate Notification No. 6 of 1960 dated 10th August, 1960, namely:—

1. The existing entry in Col. (3) of the Schedule against item (1) 'Jalpaiguri Sub-Division' under Col. (2) should be marked as (a) and a new item be added thereafter as (b) Areas east of Teesta River comprised of the Police Stations of Mal, Matelli, Nagrakata and such of the villages in the police Stations of Dhupguri and Moynaguri as are included in the annexure to this notification.

2. The corresponding entry in Col. (4) for the new item (b) in Col. (3) should be read as 18 Kg.

**ANNEXURE**

Serial No.	Name of village	Police Station
1	Pradhan para . . . . .	Dhupguri
2	Malliksova . . . . .	Do.
3	Purbamallik para . . . . .	Do.
4	Danga para . . . . .	Do.
5	D. Sakhoaj para . . . . .	Do.
6	Sakhoaj para . . . . .	Do.
7	Sajna para . . . . .	Do.
8	D. Gosair hat . . . . .	Do.
9	Uttar Gosair hat . . . . .	Do.
10	Mela . . . . .	Do.
11	Kuklong . . . . .	Do.
12	Gairkata . . . . .	Do.
13	Mogalkata . . . . .	Do.
14	Ramshai . . . . .	Majnaguri
15	Kawagap . . . . .	Do.
16	Uttar Kalamati . . . . .	Do.
17	Dakshin Kalamati . . . . .	Do.

[No. 6/1963]

M. C. DAS, Collector.



**CENTRAL EXCISE COLLECTORATE, ALLAHABAD***Allahabad, the 9th December 1963*

(III Amendment to Notification No. 1-CE/61, dated 1-3-1961.)

**S.O. 20.**—In the schedule issued with the Notification No. 1-CE/61, dated 1st March 1961 of Allahabad Collectorate, published in the Government of India Gazette Part II, Section 3(ii), dated 25th March 1961 at pages 646—652 for the existing entries against item No. 3, substitute the following:—

1	2	3	4	5
	"3. Entire District Ghazipur except the:			
	(i) Village Anau of Ghazipur Tehsil.	}		
	(ii) Villages Dewaltha and Gahmar of Zamania Tehsil.			
	(iii) Villages Jalalabad, Mandia, Manihari, Burhanpur, Bahariabad and Naikdeh of Saidpur Tehsil.		3	45"
	(iv) Villages Rajupur, Parasa, Utraon and Chattarpur of Pargana Mohamadabad.			

[No. 14-CE/63.]

S. P. KAMPANI, Collector.

**MINISTRY OF INTERNATIONAL TRADE**

(Branch Secretariat—Textiles)

*Bombay, the 27th December, 1963.*

**S.O. 21.**—In exercise of the powers conferred by sub-clause (i) of clause 5 of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby makes the following amendment to the notification of the Government of India in the late Ministry of Commerce and Consumer Industries No. S.R.O. 2243, dated the 29th September, 1956, namely:—

In the said notification, for the portion beginning with the words "pack two-part pieces" and ending with the words "in each consignment", the following shall be substituted, namely:—

"pack two-part pieces comprising a quantity exceeding—

- (i) ten per cent., in the case of bleached, dyed and printed cloth; and
- (ii) five per cent., in the case of any other cloth,

of the total quantity of such cloth in each consignment".

[F. No. 3(5)/63-Control.]

I. R. KAKAR, Under Secy.

**MINISTRY OF HEALTH***New Delhi, the 27th December 1963*

**S.O. 22.**—In pursuance of clause (e) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health No. F. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification under the heading "Nominated under clause (e) of sub-section (i) of section 3", in serial No. 2, after the entry Lt. General C. C. Kapila, the following letters shall be inserted, namely:—

"M.B.B.S., M.R.C.S. (Eng.), F.R.C.P. (Lond.), FAMS, DRME (Cantab.), DTM & H (Eng.)."

[No. F. 4-20/63-MPT.]

**ORDERS***New Delhi, the 26th December 1963*

**S.O. 23.**—Whereas the Government of India in the Ministry of Health has, by notification No. F. 16-15/61-MI, dated the 27th March, 1962, made in exercise of

the powers conferred by sub-section (1) of section 14 of the Indian Medical Act, 1956 (102 of 1956), recognised the medical qualification "Licenciado en Medicina Cirugia" granted by the University of Valencia (Spain) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Ercilla Vizcarra M. Angeles, who possesses the said qualification, continues to work in the Catholic Mission Hospital, Shillong, to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Ercilla Vizcarra M. Angeles shall be limited.

[No. F. 32-28/63-MPT.]

**S.O. 24.**—Whereas the Government of India in the Ministry of Health has, by notification No. 17-2/60-MI, dated the 22nd April, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D. (Pennsylvania—U.S.A.) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period of two years with effect from the date of this Order or so long as Dr. Marion Isabella Criswell, who possesses the said qualification, continues to work in the Victoria Memorial Mission Hospital, Hanamkone, Warrangal, Andhra Pradesh, to which she is attached for the time being for the purposes of teaching research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Marion Isabella Criswell shall be limited.

[No. F. 32-24/63-MPT.]

B B. L. BHARADWAJ, Under Secy.

## MINISTRY OF PETROLEUM AND CHEMICALS

*New Delhi, the 24th December, 1963.*

**S.O. 25.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto:

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent authority at 9, Sved Amir Ali Avenue, Calcutta-17 in the office of the Indian Refineries Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

### SCHEDULE

State—WEST BENGAL, Dist.—JALPAIGURI, Thana—RAJGANJ

Village	Survey No. (Plot No.)	Extent (Area)
Dabgram, J. L. 2	246	·085
	247	·230
	250	·76
	322	·080
	603	·023
	639	·024
	136	·035
	674	·36
	675	·012
	762	·260

[No. 31/33/63-ONG ]

**S.O. 26.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Kanpur in Uttar Pradesh State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (i) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority at 7/166, Swarup Nagar, Kanpur in the office of the Indian Refineries Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

#### SCHEDULE

State—UTTAR PRADESH

Tahsil— ZAMANIA

Distt.— GHAZIPUR.

Village	Survey No.	Extent	Village.	Survey No.	Extent
		B. B. B.			B. B. B.
Magarkhai . . .	276/2	0 7 0		349/7	0 7 10

[No. 31/50/63-ONG.]

**S.O. 27.**—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2925, dated 3rd October, 1963, under sub-section (1), of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

## SCHEDULE

State—UTTAR PRADESH

Tahsil—KHAGA.

Distt.—FATEHPUR.

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
1. Chhimi.	479	0 8 5		1974	0 0 15
	480	0 2 10		1975	0 4 5
	481	0 6 0		1985	0 1 5
	1426	0 3 15		1989	0 3 15
	1427	0 6 5		1990	0 13 5
	1428	0 0 15		1991	0 2 10
	1429	0 12 0		1992	0 7 15
	1431	0 13 5		1993	0 1 15
	1432	0 0 15		1996	0 4 5
	1433	0 8 5		2581	0 0 5
	1434	0 4 5		2582	0 0 5
	1435	0 1 5		2584	0 0 15
	1459/2	1 9 0		2585	0 3 5
	1460	0 0 15		2586	0 0 15
	1462	0 5 0		2587/2	1 18 5
	1464	0 0 15		2588/2	0 16 0
	1465	0 4 5		2608	0 0 5
	1466	0 5 0		2610	0 16 15
	1467	0 13 5		2611	0 0 5
	1469	0 0 15		2612	0 0 15
	1470	0 10 15		2613	0 9 5
	1471	0 3 0		2616	0 3 15
	1474	0 11 15		2617	0 1 0
	1475	0 8 10		2618	0 0 15
	1476	0 5 5		2619	0 1 15
	1477	0 3 15		2621	0 8 15
	1479	0 0 5		2623	0 2 10
	1488	0 11 0		2625	0 13 5
	1489	0 8 0		2629	0 8 10
	1490	0 2 0		2631	0 5 15
	1491	0 2 5		2663	0 11 5
	1492	0 4 0		2664	0 4 5
	1493	0 13 15		2665	0 1 5
	1494	0 5 10		2712	0 0 15
	1495	0 0 15		2713	0 8 0
	1497	0 0 5		2716	0 5 15
	1840	0 1 5		2717	0 1 15
	1841	0 4 5		2718	0 3 15
	1842	0 3 15		2719	0 0 10
	1861	0 0 5		2720	1 11 15
	1864	0 2 10		2725	0 9 0
	1865	0 2 10		2728	0 3 0
	1866	0 8 15		2729	0 3 10
	1867	0 5 15		2736	0 8 15
	1874	0 4 0		2737	0 2 15
	1875	0 4 5		2739	0 7 5
	1876	0 1 5		2742	0 3 15
	1877	0 0 5		2743	0 19 0
	1878	0 0 5		2750	0 8 10
	1879	0 0 5		2751	0 5 0
	1880	0 8 15		2752	0 8 10
	1881	0 1 15		2753	0 5 0
	1882	0 4 5		2759	0 3 15
	1883	0 4 5		2760	0 2 0
	1940	0 5 15		2761	0 8 10
	1946	0 8 10		2762	0 1 0
	1947	0 13 0		4854/1873	0 2 10
	1971	0 8 15			
	1972	0 1 0	2. Purain.	842	0 6 0
	1973	0 8 15		843	0 10 0

Village	Survey No.	Extent	Village	Survey No.	Extent.
		B. B. B.			B. B. B.
	844	0 2 5		1812	0 2 0
	860	0 5 10		1813	0 2 0
	861	0 15 10		1814	0 2 0
	863	0 7 5		1815	0 1 0
	864	0 5 5		1816	0 1 10
	876	0 2 5		1817	0 5 0
	877	0 6 10		1822	0 9 0
	878	0 13 10		1823	0 1 15
	879	0 1 5		1832	0 3 0
	883	0 8 0		2081	1 9 5
	884	0 2 10		2083	1 1 0
	885	0 1 5		2168	0 4 0
	886	0 10 5		2170	0 0 0
	890	0 5 10		2171	0 0 5
	892	0 5 0		2173	0 12 5
	894	0 5 10		2174	0 12 5
	895	0 0 5		2182	0 18 5
	896	0 17 10		2186	0 19 15
	897	0 0 5		2187	1 4 10
				2183	0 3 15
3. Katoghan.	506	0 15 10		7138	0 15 10
	507	0 1 0		7139	0 2 0
	508	0 4 0		7140	0 10 0
	509	0 19 0		7153	0 0 5
	714/2	1 10 10		7154	0 6 10
	715/1	0 1 5		7449	0 19 5
	715/2	0 19 5		7450	0 7 5
	722	1 6 15		7451	0 4 0
	724	1 14 15		7453	0 7 0
	727	0 0 5		7454	0 4 0
	1073	0 2 0		7455	0 4 0
	1074	0 8 0		7456	0 4 10
	1075	0 2 15		7457	0 4 0
	1076	0 15 5		7476	1 6 10
	1079	0 10 10		7477	0 8 5
	1081/1	0 13 0		7478/2	0 6 10
	1084	0 0 5		7483	0 11 0
	1085	0 7 10		7484	0 1 0
	1086	0 7 0		7487	0 6 10
	1303	0 2 0		7488/2	0 0 5
	1304	0 7 0		7489	0 3 0
	1305	0 6 15		7490	0 5 15
	1309	1 15 5		7565	0 10 5
	1338/1	1 14 0		7566	0 2 0
	1340	0 7 10		7567	0 3 0
	1341	0 5 15		7568	0 7 5
	1762	0 4 0		7571	0 6 5
	1784	1 7 0		7572	0 6 10
	1788	0 0 5		7573	0 7 0
	1789	0 3 15		7574	0 4 15
	1790	0 6 5		7575	0 0 10
	1792	0 8 0		7576	0 13 5
	1793	0 5 10		7593	0 7 10
	1794	0 0 10		7594	0 6 10
	1795	0 10 5		7595	0 5 0
	1796	0 6 0		7597	0 1 0
	1797	0 8 5		7598	0 5 0
	1799	0 0 5		7600	0 10 0
	1800	0 0 5		7601	0 5 0
	1801	0 4 10		7602	0 13 0
	1802	0 1 5		7603	0 17 0
	1805	0 4 0		8098	0 15 0
	1806	0 4 5		8101	0 6 15
	1807	0 1 10		8102	0 11 0

Village	Survey No.	Extent.	Village	Survey No.	Extent.
		B. B. B.			B. B. B.
3. Katoghan—(Contd.)	8103	0 5 10		3039/1	0 12 0
	8104	0 2 10		3040	0 10 0
	8110	0 7 10		3041	0 9 15
	8111	0 12 0		3051	0 9 0
	8112	0 18 10		3052	1 2 5
	8113	0 1 0		3053	0 7 0
4. Chak Katoghan.				3105	0 9 15
	392	0 5 5		3107	0 4 15
	395	0 1 0		3108	0 18 10
	398	0 9 0		3138	1 11 5
	399	0 3 0		3247	0 7 5
	401	1 2 0		3248	0 9 0
	403	0 0 5		3259	0 8 10
	411/1	0 6 0		3260	0 6 10
	411/2	0 6 0		3261	0 5 5
	412	0 3 0		3263	0 1 10
	413	0 15 0		3285	0 6 0
5. Sujarai.				3286	0 8 0
	988	2 0 10		3287	0 8 15
	989	0 17 5		3388	0 4 5
	990	0 10 5		3315	0 4 10
	997	0 5 5		3316	0 3 15
	999	0 17 0		3317	0 2 5
	1002	0 6 0		3318	0 8 5
	1006	0 11 5		3319	0 3 0
	1009	0 8 10		3320	0 3 10
	1013	0 7 5		3321	0 1 10
	1015	0 13 10		3322	0 12 0
	1016	0 8 0		3324	0 0 5
	1017	0 6 5		3325	0 7 5
	1018	0 0 5		3326	0 6 10
6. Hardon.				3327	0 3 10
	1334	0 3 15		3328	0 4 5
	1362	0 8 0		3329	0 4 0
	1363/2	0 7 15		3331	0 4 0
	1375	0 1 5		3333	0 5 5
	1376	0 4 10		3334	0 4 5
	1377/1	0 4 5		3335	0 2 10
	1378	0 8 0		3336	0 2 15
	1379	0 9 15		3337	0 7 5
	1380/2	0 2 0		3338	0 1 10
	1385/1	0 0 5		3339	1 4 5
	1386/1	0 8 05		3340	0 16 10
	1386/2	0 1 10		3341	0 2 0
	1387	0 1 10		4336/3138	0 4 15
	1388	0 7 15		4338/1351/1	0 3 10
	1410	0 12 0		4379/1370	0 2 0
	1411	0 18 0	7. Sahzad pur Khaga.	1207	0 3 10
	1412	0 7 10		1212	0 4 0
	1413	0 4 15		1213	0 0 15
	1414	0 2 0		1214	0 0 5
	1415	0 10 0		1215/3	1 9 0
	1418	0 1 0		1225/1	0 13 0
	1419	0 2 5		1225/2	0 18 0
	3008/2	1 12 0		1226	0 18 0
	3009	0 5 10		1227/2	0 4 0
	3010	0 4 5		1229/1	1 15 0
	3011	0 3 5		1230	0 6 5
	3022	1 2 15		1231/1	0 9 0
	3028	0 14 15		1232	0 3 15
	3029	0 6 0		1234/1	0 16 10
	3030/2	0 7 0		1234/2	0 6 5
	3033/2	0 16 0		1234/3	0 4 0

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
7. Sahzad pur Khaga— (contd.)	1236	0 6 10		388	0 3 0
	1237	0 8 0		389	0 16 5
	1238	0 0 10		390	0 12 5
	1239	0 6 0		491/4	0 19 0
	1244/1	0 6 5		554	1 12 5
	1244/2	0 16 15		555/2	0 2 0
	1245/1	0 8 0		555/1	0 5 0
	1245/2	0 11 10		555/3	0 7 0
	1267/2	0 8 5		555/4	0 0 10
	1267/3	0 18 15		555/6	0 7 10
	1268	0 3 10		555/5	0 1 0
8. Pambhi Pur	416	0 10 10		555/7	0 11 10
	422	0 17 0		556	0 3 10
	424	0 4 15		557/1	1 3 0
	425	0 9 10		557/2	0 16 0
	426	0 4 5		557/4	0 6 10
	427	1 3 0		558	0 4 0
	428	0 10 10		559	0 8 0
9. Kukari	314/1	0 15 10		560	0 2 10
	331/2	0 6 5		573/1	0 16 5
	331/5	0 18 10		573/2	0 13 0
	332	0 11 10		574	0 5 5
	333/2	0 2 0		576	0 0 10
	334	0 3 0		577/1	0 7 0
	335	0 8 0		577/2	1 2 0
	339	0 6 0		577/3	0 0 10
	340	0 9 15		578	0 1 0
	341	0 0 5		579	0 2 5
	342	0 1 10		580	0 3 0
	343	0 2 0		585/5	0 9 0
	344	0 2 10		585/6	1 6 0
	354	0 13 10	11. Teni	1631	0 1 0
	355	0 12 0		1632	0 17 10
	356	0 0 10		1661	0 7 0
	358	0 1 10		1663	0 4 0
	400	0 0 10		1664	0 9 0
	409	0 2 10		1665	0 17 0
	410	0 4 0		1666	0 15 0
	411	0 3 0		1679	0 1 15
	412	0 3 5		1680	0 13 0
	413	0 3 15		1681	0 6 15
10. Kukara	252/1	0 11 0		1682	0 18 10
	252/2	0 12 0		1687/1	0 2 10
	253	0 3 10		1696	3 7 0
	254	0 5 0		1697	0 4 10
	255	0 4 10		1698	0 0 2
	256	0 0 15		1700	0 6 0
	258	0 5 5		1701	0 3 10
	283/1	1 5 5		1702	1 4 10
	283/3	0 5 10		2500	0 2 10
	284	0 1 10		2501/1	0 9 0
	285	0 2 10		2502	0 14 0
	286	0 1 0		2509	0 0 15
	287	0 1 10		2511	0 19 0
	383/3	1 15 5		2512	0 0 15
	385/1	0 17 0		2513	0 17 5
	385/2	0 0 5		2514	0 10 0
	385/3	0 1 0		2526/2	1 9 5
	386	0 2 10		2527	0 9 0
	387/1	0 9 0		2528	0 6 0
				2548	0 8 10
				2550	0 9 10
				2549	1 5 5

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
2551	0 14 0		4246	0 8 0	
3751	0 4 0		4247	0 0 4	
3754	1 9 10		4248	0 0 2	
3755	0 12 5		4249	0 3 0	
3756	1 7 0		4281	0 2 0	
3770	0 12 0		4282	0 0 15	
3771	0 2 10		4283	0 2 10	
3772	0 3 5		4284	0 1 10	
3773	0 8 5		4285	0 1 10	
3774	0 3 0		4286	0 1 10	
3775	0 8 0		4287	0 1 5	
3776	0 0 15		4288	0 7 10	
3777	0 3 10		4289	0 8 0	
3778	0 3 10		4481	1 11 5	
3779	0 4 0		4482/1	3 16 10	
3826	0 4 0		4482/2	0 8 0	
4025	0 3 0				
4026	0 7 15		12. Majh Teni	116	0 3 10
4027	0 4 15		117	0 3 10	
4028	0 4 10		119	1 14 0	
4033	0 0 2		279	0 13 5	
4034	0 3 0		280/1	0 4 0	
4035	0 2 0		280/2	0 19 0	
4036	0 0 2		281	0 4 15	
4037	0 5 0		282	0 6 0	
4038	0 5 0		285/1	1 6 0	
4039	0 4 0		286/1	1 9 0	
4040	0 1 5		304	0 7 0	
4062	0 0 3		305	0 9 0	
4065	0 3 0		306	0 3 10	
4066	0 8 0		310	0 10 10	
4067	0 12 10		312	0 9 10	
4070	0 1 5		384	0 4 0	
4071	0 1 10		385/1	0 2 15	
4072	0 1 0		386	0 8 0	
4073	0 2 0		387	0 0 10	
4074	0 3 10		388	0 2 10	
4075	0 4 5		389	0 0 2	
4076	0 2 10		390	0 6 0	
4078	0 1 0		391	0 13 10	
4225	0 11 0		392	0 0 1	
4226	0 7 10		393	0 4 0	
4227	0 1 0		442	1 18 5	
4228	0 0 15		443	0 16 10	
4238	0 3 10		451/1	0 8 0	
4239	0 4 0		451/2	0 11 0	
4242	0 3 10		452	0 5 10	
4243	0 3 0		454	0 6 0	
4244	0 5 10		455	0 6 0	
4245	0 11 0		460	1 3 0	

[No. 31/50/63-ONG.]

S.O. 28.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 1979, dated 2nd July, 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;



Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

## SCHEDULE

State	WEST BENGAL	Distt.	BURDWAN	Tehsil/Thana	AUSGRAM
Village			Survey No. (Plot No.)	Extent (Area)	
Kotachandpur, J.L. 80 .			1613	·16	
			1751	·15	
			1752	·01	
			1753	·11	
			1754	·01	
			1755	·005	
			1766	·57	
			1767	·005	
			1768	·09	
			1769	·07	
			1771	·19	
			1772	·17	
			1779	·13	
			1808	·13	
			1809	·10	
			1810	·17	
			1812	·13	
			1814	·35	
			1815	·12	
			1816	·005	
			1817	·04	
			1819	·31	
			1839	·11	
			1840	·25	
			1844	·005	
			1845	·12	
			1846	·04	
			1847	·01	
			1848	·005	
			1849	·19	
			1850	·08	
			1851	·05	
			1878	·42	
			1879	·10	
			1890	·01	
			1891	·08	
			1892	·01	
			1895	·17	
			1899	·02	
			1900	·05	
			1902	·18	
			1903	·18	
			1925	·39	
			1930	·12	
			1931	·005	
			1932	·14	
			1939	·13	
			1940	·01	
			1941	·10	
			1942	·10	
			1943	·10	
			2402	·005	
			2404	·01	
			2405	·05	
			5131	·16	
			5139	·15	
			5147	·06	
			5149	·17	
			5150	·07	
			5158	·09	
			5256	·15	
			5257	·04	
			5258	·03	
			5259	·17	
			5260	·27	
			5278	·13	
			5279	·04	
			5280	·10	
			5290	·005	
			5292	·005	
			5293	·13	
			5294	·11	
			5295	·32	
			5296	·005	
			5340	·02	
			5341	·07	
			5342	·10	
			5343	·12	
			5344	·13	
			5359	·13	
			5453	·04	
			5454	·04	
			5455	·26	
			5456	·27	
			5458	·13	
			5459	·03	
			5463	·13	
			5464	·02	
			5465	·02	
			5466	·15	
			5468	·15	
			5478	·02	
			5708	·13	
			5710	·11	
			5711	·29	
			5712	·05	
			5721	·35	
			5727	·02	
			5741	·35	
			5742	·05	
			5743	·03	
			5747	·005	
			5752	·49	
			5753	·20	
			6041	·005	

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Dharala, J.L. 78	318	'21		3090	'20
	322	'25		3092	'005
	323	'02		3093	'09
	324	'23		3094	'15
Pondali, J. L. 77				3450	'13
	1112	'02		3578	'12
	1113	'005		3579	'12
	1118	'02		3586	'005
	1119	'02		3587	'10
	1125	'20		3588	'16
	1141	'09		3589	'005
	1142	'12		3590	'11
	1145	'05		3597	'005
	1146	'10		3598	'16
	1151	'01		3599	'005
	2763	'04		3619	'13
	2764	'08		3627	'21
	2765	'10	Sonai, J. L. 73	1555	'03
	2769	'10		1556	'21
	2770	'13		1571	'14
	2771	'05		1572	'18
	2777	'08		1573	'20
	2778	'10		1644	'13
	2779	'10		1645	'16
	2780	'06		1646	'04
	2781	'19		1647	'10
	2785	'19		1648	'12
	2786	'20		1650	'01
	2787	'08		1651	'37
	2800	'05		1652	'13
	2827	'09		1663	'06
	2828	'02		1664	'06
	2853	'47		1665	'22
	2854	'11		1666	'02
	2855	'07		2041	'14
	2863	'06		2047	'25
	2865	'01		2071	'07
	2866	'06		2072	'12
	2867	'07		2073	'06
	2868	'20		2074	'01
	2869	'06		2075	'16
	2870	'27		2076	'01
	2871	'02		2077	'14
	2872	'06		2078	'05
	2873	'03		2079	'005
	2874	'005		2082	'05
	2875	'02		2083	'06
	2876	'09		2356	'005
	2890	'05		2357	'11
	3033	'005		2359	'02
	3034	'06		2360	'06
	3040	'33		2415	'09
	3041	'03		2416	'14
	3042	'37		2417	'005
	3068	'12		2418	'10
	3069	'05		2419	'27
	3078	'07		2421	'12
	3079	'25		2455	'005
	3080	'09		2458	'005
	3081	'08		2459	'20
	3082	'07		2460	'01
	3083	'06		2461	'12
	3084	'12		2462	'06
	3085	'02			

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Sonai, J.L. 73—(Contd.)	2464	·08		2477	·09
	2465	·09		2478	·09
	2474	·01		2481	·08
	2475	·22		2482	·23
	2476	·005			

[No. 31/33/63-ONG.]

S.O. 29.—Whereas by notifications of the Government of India in the Ministry of Mines and Fuel S.O. Nos. 2044, 2492 and 2928, dated the 1st August, 1963, 19th August, 1963, and 3rd October, 1963, respectively under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refneries Limited free from all encumbrances.

## SCHEDULE

State : West Bengal.

Distt. Midnapore.

Tehsil/Thana Tamluk.

Village]	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Sadichak, J.L. 53	38	·06		106	·04
	39	·18		107	·01
	40	·08		553	·04
	41	·12		554	·09
	42	·08		555	·14
	67	·15		556	·08
	68	·05		557	·15
	71	·005		558	·11
	72	·20		559	·12
	73	·08		560	·06
	75	·11		562	·04
	76	·20		563	·13
	233	·15		564	·19
				600	·08
Nil Kuntia, J.L. 52	20	·14		601	·10
	87	·05		602	·13
	94	·04		604	·05
	96	·04		605	·18
	97	·13		619	·01
	103	·07		637	·01
	104	·06		638	·11
	105	·05		639	·08

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Nil Kuntia, J.L. 52—(Contd.)	640	·02		2864	·22
	642	·04		2865	·06
	644	·01		2867	·14
	645	·12		2880	·20
	649	·22		2895	·17
	650	·03		2896	·20
	652	·03		2897	·34
	653	·13		2898	·32
	654	·16		2909	·22
	666	·05		2910	·13
	684	·09		2911	·12
	873	·04		2912	·13
	903	·03		2913	·08
	907	·01		2914	·05
	908	·04		2915	·17
	909	·08		2917	·06
	910	·09		2925	·22
	911	·09		2926	·08
	912	·05		2927	·04
	913	·005		2929	·005
	914	·04		2934	·04
	915	·10		2946	·21
	916	·06		2947	·08
	919	·01		2948	·09
	962	·01		2949	·19
	964	·22		2950	·10
	965	·16		2954	·24
	966	·15		2955	·03
	968	·15		2963	·05
	969	·04		2965	·01
	1009	·01		2966	·05
	1023	·01		2971	·06
	1025	·18		2973	·02
	1041	·42		2974	·02
	1051	·08		2975	·10
	1052	·03		2976	·09
	1053	·10		2987	·22
	1054	·10		2988	·11
	1094	·30		2990	·04
	1099	·08		3003	·08
	1100	·12			
	1101	·03	Kantibar, J.L. 58	27	·03
	1538	·06		28	·09
	1577	·04		30	·03
	1583	·02		31	·07
	1584	·03		42	·04
	1585	·01		32	·04
	1586	·01		33	·005
	1587	·01		34	·03
	1588	·02		35	·05
	1589	·34		36	·04
	1590	·01			
	1591	·01	Dakshinusatpur, J.L. 60	949	·06
	1593	·02		950	·005
	1594	·01		951	·06
	1595	·02		1005	·16
	1596	·01		1007	·07
	1655	·18		1008	·14
	1656	·02		1009	·26
	1657	·01		1010	·01
	1658	·07		1011	·10
	1659	·03		1012	·07
	2858	·19		1013	·07
	2859	·08		1014	·07
	2860	·06		1019	·14
	2861	·08		1020	·01

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Dakshinuatpur, J.L. 60—(Contd.)	1021	·04	Padampur, J.L. 99	66	·11
	1022	·10		89	·06
	1238	·20		95	·22
	1239	·12		96	·03
	1241	·06		97	·07
	1242	·04		101	·15
	1244	·16		102	·41
	1245	·10		103	·17
	1246	·03		104	·13
	1252	·16		105	·12
	1253	·14		107	·14
	1259	·05		108	·03
	1260	·03		109	·09
	1261	·11		110	·26
	1264	·20		365	·01
	1265	·14		366	·29
	1266	·07		367	·28
	1267	·03		368	·01
	1268	·06		389	·04
	1581	·10		390	·04
	1583	·12		391	·12
	1584	·12		392	·09
	1585	·03		393	·05
	1586	·05		478	·04
	1587	·05		480	·03
	1588	·10		482	·08
	1604	·06		488	·01
	1605	·04		488	·11
	1606	·11		490	·03
	1607	·07		491	·10
	1616	·14		492	·11
	1658	·01		495	·06
	1721	·03		496	·04
Rajgoda, J.L. 100	45	·10		500	·12
	249	·01		501	·12
	262	·14		503	·13
	263	·25		500	·01
	267	·35		504	·08
	272	·24		595	·08
	273	·18		596	·03
	274	·12		599	·005
	283	·18		600	·04
	284	·16		601	·05
	287	·10		602	·04
	288	·02		603	·03
	290	·06		604	·04
	291	·09		606	·10
	295	·07		607	·04
	296	·22		608	·04
	298	·20		609	·02
	304	·26		610	·01
	305	·04		611	·005
	307	·12		622	·005
	308	·10	Ramkalua, J.L. 97	5	·29
	309	·02		59	·05
	310	·18		61	·04
	311	·07		64	·05
	461	·04		65	·05
	463	·16		66	·04
	464	·24		67	·04
	465	·07		68	·04
	466	·38		69	·09
	555	·06		70	·09
				73	·10

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
	74	·09		769	·02
	75	·17		1866	·09
	788	·14			
	789	·02	Radhaballavpur, J. L. 137		
Bali Kalua, J. L. 93	154	·06		521	·01
	155	·10		522	·08
	156	·02		523	·04
	157	·10		524	·09
	193	·05		525	·10
	348	·04		526	·01
	349	·20		527	·08
	350	·45		528	·02
	352	·11		534	·01
	356	·19		536	·10
	357	·01		537	·01
	358	·03		538	·04
	359	·05		539	·11
	360	·06		540	·01
	364	·14		548	·07
	365	·05		549	·13
	366	·12		552	·01
	367	·10		579	·005
	368	·01		580	·10
	390	·06		581	·06
	393	·12		582	·13
	394	·10	Bhubaneswarpur, J. L.		
	395	·01	146		
	403	·06		49	·08
	404	·05		53	·01
	405	·03		63	·09
	406	·02		64	·08
	407	·10		66	·02
	408	·09		67	·06
	413	·10		68	·03
Narshing Kalua J. L. 94	501	·04		69	·005
	502	·08		71	·18
	503	·05		72	·02
	504	·06		98	·05
	506	·06		120	·13
	507	·07		135	·08
	508	·08		136	·03
	509	·14		137	·04
	512	·01		138	·05
	513	·09		139	·09
	514	·10		140	·06
	515	·03		141	·10
	516	·07		149	·02
	524	·14		150	·04
	525	·04		151	·01
	526	·24		155	·06
Banhichar, J. L. 136	740	·06		156	·03
	742	·01		216	·10
	743	·18		217	·06
	756	·04		218	·02
	757	·32		219	·02
	763	·04		474	·16
	764	·12		476	·03
	765	·14		477	·005
	766	·08		479	·08
	767	·10		488	·08
	768	·24		489	·03
				490	·07
				491	·08

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
	492	·02		117	·02
	494	·01		118	·01
	495	·12		126	·11
	594	·11		127	·21
	595	·005		128	·12
	1655	·11		129	·005
	1656	·02		154	·04
	1657	·03		155	·07
	1658	·08		156	·02
	1659	·07		159	·14
	1660	·01		475	·11
	1670	·03		476	·32
	1671	·03		477	·08
				479	·07
Bar Padam Basan, J. L.				484	·02
145	136	·03		485	·32
	137	·04		486	·04
	138	·05		488	·08
	139	·06		489	·10
	157	·03		517	·05
	158	·05		518	·05
	159	·06		519	·06
	160	·22		522	·21
	161	·04		526	·03
	162	·03		527	·05
	171	·01		528	·12
	172	·03		544	·01
	173	·04		545	·36
	174	·07		546	·01
	176	·08		568	·16
	190	·20		569	·09
	193	·01		576	·14
	194	·12		577	·07
	195	·06		578	·07
	196	·02		579	·07
	201	·005		580	·04
	202	·04		586	·06
	203	·03		612	·17
	204	·01		613	·01
	205	·01		614	·10
	218	·01		615	·13
	219	·03		633	·01
	220	·05		636	·02
	221	·04		2409	·0
	222	·03		2414	·05
	223	·01		2415	·08
	227	·07		2464	·08
	237	·005			
	238	·01	Nischintabasan J. L. 147		
	239	·03		1282	·05
	240	·01		1756	·02
	242	·04		1757	·07
	243	·06		1758	·16
	344	·10		1759	·005
	877	·06			
Padam Basan, J. L. 144	22	·19	Daharpur, J. L. 276	31	·12
	23	·18		32	·14
	24	·09		78	·16
	111	·03		83	·01
	113	·10		84	·005
	114	·10		85	·05
	115	·16		86	·17
	116	·01		88	·10
				89	·19
				91	·02

Village	Survey No. (Plot No.)	Extent (Arca)	Village	Survey No. (Plot No.)	Extent (Arca)
	102	·21		538	·05
	103	·06		539	·05
	104	·005		540	·04
	105	·05		541	·18
	106	·02		542	·10
	160	·005		543	·20
	163	·08		544	·10
	164	·05		545	·43
	165	·04		576	·10
	166	·04		577	·04
	167	·02		578	·05
	171	·03		579	·08
	256	·02		580	·01
	257	·005		747	·08
	258	·05		749	·28
	259	·03		770	·30
	260	·09		816	·03
	261	·05		817	·04
	262	·14		818	·08
	263	·02		819	·03
	264	·11		822	·02
	267	·01		824	·19
	268	·05		825	·16
				846	·10
Kapasbarya, IJ. L. 283	1	·06		847	·08
	10	·10		850	·10
	11	·34		851	·04
	12	·04		853	·06
	20	·06		855	·22
	22	·12		856	·16
	23	·06		1467	·04
	24	·02		1468	·01
	29	·16		1514	·02
	30	·02		1524	·01
	51	·03		1537	·01
	52	·12		1538	·05
	53	·18		1540	·08
	54	·06		1542	·01
	68	·10		1543	·01
	249	·01		1544	·08
	250	·06		1546	·08
	251	·03		1548	·01
	252	·05		1550	·14
	253	·02		1552	·01
	284	·12		1558	·10
	285	·01		1578	·10
	288	·07		1598	·00
	289	·10		1610	·14
	290	·08		1611	·07
	291	·03		1612	·04
	293	·10		1613	·28
	294	·01		1620	·03
	295	·05		1621	·08
	298	·06		1622	·08
	300	·22		1623	·14
	301	·005		1624	·04
	308	·03		1629	·07
	309	·005		1630	·02
	465	·04		1631	·12
	466	·02		1632	·04
	467	·12		1633	·05
	468	·10		1634	·05
	469	·01		1635	·005
	470	·01		1650	·08
	534	·12		1651	·02



Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Kapasbarya, J. L. 283 (contd.)	1652	·08	Amgechhya, J. L. 95 (contd.)	343	·12
	1653	·08		344	·03
	1688	·03		345	·04
				348	·03
Harasankarkhamchak, J. L. 59	1474	·18		351	·03
	1479	·005		354	·16
	1480	·03		355	·06
	1481	·11		388	·14
	1482	·11		391	·05
	1509	·04		392	·02
	1510	·07		393	·05
	1514	·08		394	·03
	1515	·10		395	·01
	1516	·04		396	·005
	1517	·06		400	·06
	1518	·17		403	·08
	1546	·26		408	·12
	1547	·13		409	·03
	1557	·19		411	·02
	1558	·15		412	·10
	1559	·06		413	·07
	1577	·07		415	·01
	1587	·03		433	·05
	1588	·02		434	·22
	1631	·04		435	·08
	1632	·07		436	·14
	1633	·21		437	·01
	1634	·08		449	·05
	1648	·04		450	·04
	1649	·03		451	·03
	1650	·02		452	·03
	1651	·06		453	·02
	1652	·11		454	·03
	1667	·11		455	·12
	1668	·13		456	·16
	1669	·26		458	·11
	1673	·005		459	·12
	1674	·17		460	·19
	1676	·20		461	·01
	1675	·11		471	·04
	1769	·08		472	·22
	1770	·03		477	·01
	1771	·01		478	·21
	1772	·28		479	·17
	1773	·06		480	·06
	1774	·05		677	·06
	1775	·03		972	·05
	1776	·13	Dharinda, J. L. 279	101	·02
	1777	·005		107	·20
	1888	·02		820	·08
				821	·19
Amgechhya, J. L. 95	50	·03		822	·04
	177	·005		827	·03
	178	·02		828	·03
	333	·01		829	·05
	334	·01		830	·04
	335	·03		831	·02
	336	·04		832	·15
	337	·03		876	·02
	338	·05		877	·03
	339	·01		878	·08
	340	·02		879	·06
	341	·05		880	·005
	342	·03		962	·02

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Dharinda, J. L. 279 (contd.)			Dharinda J. L. 279 (contd.)		
	963	·04		1268	·06
	964	·12		1269	·18
	965	·01		1274	·03
	966	·06		1275	·12
	967	·04		1276	·07
	969	·03		1282	·03
	970	·16		1283	·10
	973	·02		1284	·02
	1040	·10		1293	·005
	1041	·01		1295	·06
	1043	·03		1296	·10
	1045	·08		1297	·04
	1046	·08		1298	·04
	1048	·12		1299	·08
	1049	·01		1317	·22
	1050	·04		1318	·01
	1178	·03		1319	·01
	1197	·04		1320	·10
	1245	·02		1331	·01
	1246	·03		1818	·08
	1247	·05		1860	·01
	1248	·08		1861	·12
	1249	·08		1862	·08
	1250	·20		1863	·07
	1252	·005		1864	·02
	1253	·12		1865	·005
	1254	·005		1871	·08
	1255	·09		1872	·15
	1256	·10		1873	·11
	1257	·10		1874	·07

[No. 31/33/63-ONG.]

New Delhi, the 30th December 1963

S.O. 30.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3132, dated 24th October, 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Assam Gas Company Limited free from all encumbrances.

## SCHEDULE.

Village	Patta No.	Survey Plot No.	Area Extent		
			Bigha	Katha	Lessa
Kachari Gaon .	1	180	0	3	0
	2	92	0	0	10
		91	0	4	18
			1	0	8
	4	97	0	2	7
	9	88	0	0	3
	10	115	0	4	1
	16	73	0	0	18
	26	121	0	3	13
	27	137	1	4	8
		135	0	0	1
			1	4	9
	31	67	0	0	1
	43	134	0	0	1
		132	1	0	0
			1	0	1
	44	96	0	3	2
	51	68	0	0	9
	53	98	0	1	8
		114	1	2	10
		122	0	4	5
			2	3	3
	55	148	0	1	2
	56	153	2	1	16
	59	64	0	0	2
	68	154	0	0	9
		191	0	2	3
	71	150	0	2	14
	77	210	0	1	12
		Total	14	0	13
Nagamati Kheremia	6	338	0	1	7
	23	407	0	4	0
		151	0	0	18
		142	0	2	18
			1	2	16
	25	80	0	0	19
	26	79	0	1	7
	29	329	1	0	10
	44	157	0	4	5
	71	324	0	4	5
	76/98	82	0	1	10
	101	156	0	4	17
	107	339	0	2	5
		Total	6	4	1
Hindu Gaon .	1	146	0	4	7
	2	154	0	4	10
		192	1	1	10
			2	1	0

Village	Patta No.	Survey Plot No.	Area Extent		
			Bigha	Katha	Lessa
	8	155	0	2	18
	22	229	0	0	15
	24	150	0	4	4
	35	248	0	1	0
		156	0	1	12
	11	235	0	0	8
		Total	5	1	4
<hr/>					
Naga Gaon . . . . .	23	2	0	3	10
	28	142	0	3	15
	31	15	0	2	10
	43	108	0	4	7
	46	137	0	0	2
	47	8	1	1	13
P. P. Land . . . . .	58	340	0	2	5
	59	123	0	0	5
	66	91	0	2	8
	101	122	0	1	7
		140	0	2	10
		301	0	1	2
				4	19
	133	136	0	3	2
			6	2	16
A.P.Land . . . . .		141	0	0	1
		Total	6	2	17
<hr/>					
Dirial Gaon . . . . .	39	259	0	0	2
	PP				
	40	251	0	0	12
	PP				
	45	267	0	2	10
	PP				
	69	211 }	1	1	10
	PP	203 }	0	2	10
			1	4	0
	91	204	1	4	2
	PP				
	84	254	1	2	0
	PP				
	2	268	0	1	10
	AP				
	12	266	0	1	0
	AP				
	13	285	0	1	5
	AP				
	Total		6	2	1

Village	Patta No.	Survey Plot No.	Area Extent		
			Bigha	Katha	Lessa
Kapphua Gaon	2	149	0	4	8
	4	138	0	0	5
	5	94	0	3	4
		95	0	0	13
		93	0	0	13
			0	4	10
	10	146	1		0
	11	154	0	1	2
	19	156	0	2	10
	24	96	0	1	12
	34	99	0	2	0
	37	98	0	4	10
	44	152	0	1	8
	60	206	0	1	13
	Total		6	1	18
Maj Kapahua	9	164	0	3	7
		478	0	0	5
			0	3	12
	10	177	0	0	11
	11	179	0	1	9
	15	194	0	1	6
	30	178	0	2	16
	31	165	0	2	5
	34	216	1	3	10
	36	215	0	4	5
	44	160	0	1	9
	45	159	0	1	6
	58	196	0	2	18
	62	223	0	0	19
	71	162	0	3	13
	82	161	0	2	6
	103	194	0	1	6
		463			
	107	193	0	3	4
	112	476	0	3	15
	114	163	0	2	0
	115	484	0	1	9
	111	208	0	3	10
	Total		10	2	9
Assamia Gaon	29	160	0	2	11
	31	154	0	2	12
	39	162	0	0	7
	59	139	0	3	18
	Do.	164	0	2	13
			1	1	11
	88	115	0	2	6
	Do.	161	0	2	10
	Do.	163	0	1	16
	Total		1	1	12
Total			3	4	13

Village	Patta No.	Survey Plot No.	Area Extent		
			Bigha	Katha	Lessa
I No. Balijan	6	54	0	1	17
	62	55	0	2	15
	46	16	0	2	18
	25	12	0	1	6
	27	236	0	0	1
	55	107	0	0	2
	48	18	0	0	19
	45	108	0	3	8
	8	109	0	1	18
	5	105	0	4	2
	15	125	1	2	10
	44	110	0	2	0
	14	53	0	3	10
	A.P.	19	0	0	19
	2	10	0	0	4
Total			6	3	9
Dighala Sunual Gaon	10	63	0	1	1
		87	1	1	0
		80	0	0	6
		86	1	0	0
		84	1	2	0
			3	4	7
	3	306	0	0	8
	26	267	0	0	1
		268	0	1	2
			0	1	3
	35	73	0	1	10
		74	1	4	3
		70	0	1	11
			2	2	4
	41	67	0	1	8
	42	71	0	0	18
	74	78	0	2	2
	81	79	1	0	3
	91	61	0	1	10
			8	4	3
	93	331	0	4	6
	95	279	0	1	18
		287	1	0	18
			1	2	16
	96	72	0	0	19
Total			11	2	4
Nabarkatiya Town	1	197	0	2	12
	2	51	0	2	15
	35	58	0	0	8
	68	52	2	0	15
		54	0	1	8
			2	2	3
	75	55	0	1	2
		62	0	0	15
			0	1	17
	76	63	0	1	10
Total			4	1	5

Village	Patta No.	Survey Plot No.	Area Extent		
			Bigha	Katha	Lessa
Jagun Gaon . . . . .	1	424	0	1	15
	12	420	0	3	0
	32	296	0	4	18
	38	376	0	4	0
	39	302	0	1	10
	47	219	0	1	15
	49	298	0	4	0
	56	89	0	3	0
	57	18	0	2	10
		90	0	1	18
		91	0	4	10
			1	3	18
	66	427	0	3	7
	68	372	0	0	18
	93	293	0	1	15
	94	292	0	2	10
	97	425	0	1	10
	115	375	0	2	10
	104	153	0	1	7
	120	22	0	2	18
	135	423	0	1	15
	150	290	0	2	5
	75	24	0	1	8
Total . . . . .			10	4	19
Tipling Bahdhari . . . . .	38	17	0	0	7
	48	147	0	2	0
		148	0	1	17
			0	3	17
	51	149	0	0	16
		171	0	0	1
			0	0	17
	90	284	0	1	0
	97	172	0	0	1
		153	0	0	7
Total . . . . .			1	1	9
Naharkatiya 126 No. F.S. Grant . . . . .	1	1	0	2	0
Naharkatiya 22 (19) No. NLR Grant. . . . .	1	10	2	2	0

## Annual Patta Land

Village	Sarkari Plot No.	Area			
		Bigha	Katha	Lessa	
Dighala Sono Wal . . . . .	83	0	0	15	Railway Do. Do. Do. 10 Bigha 4 Katha
	101	3	4	10	
	98	2	3	0	
	295	3	4	0	
	296	0	2	10	
	284	0	0	18	
	85	0	0	8	
Total . . . . .		11	1	1	

Village	Sarkari Plot No.	Area		
		Bigha	Katha	Lessa
Naharkatiya Town . . . . .	60	0	2	8
	65	0	0	8
	193	0	0	15
	192	0	0	6
	191	0	0	6
	190	0	2	13
	194	0	0	14
	195	0	1	0
	284	0	1	7
	286	0	0	3
Total . . . . .	..	2	0	0
Jagun Gaon . . . . .	154	1	4	16
	20	0	0	2
	251	0	1	0
	377	0	0	6
Total . . . . .		2	1	4
Tipling Gaon . . . . .	146	0	0	15
	34	0	2	0
	175	0	0	10
	176	6	2	10
Total . . . . .		7	0	15
Kachari Gaon . . . . .	90	0	0	8
	100	0	0	8
	184	0	0	7
	116	0	1	2
Total . . . . .		0	2	5
Nagamati Keremia . . . . .	150	0	1	2
	141	0	0	18
	92	0	2	7
	95	0	3	10
	94	0	2	12
	143	0	4	0
	66	0	2	0
	81	0	0	12
	87	0	0	5
Total . . . . .		3	2	6
Hind Gaon . . . . .	144	0	0	17
	157	0	0	12
	168	0	1	10
	194	3	3	6
	197	0	0	8
	199	1	0	10
	236	1	1	5
	261	0	0	15
	276	0	0	7
Total . . . . .		6	4	8
Naga Gaon . . . . .	118	0	0	4
	119	0	0	6
	139	0	0	1
Total . . . . .		0	0	11



Village	Sarkari Plot No.	Area		
		Bigha	Katha	Lessa
Dirail Gaon	256	0	1	10
	102	0	0	8
	Total	0	1	18
Kapahua	100	0	0	10
	Maj Kapahua	0	0	11
	195	0	0	10
	Total	0	1	11
Assamia	142	0	3	18
	146	0	1	13
	173	0	0	7
	110	0	0	11
	Total	1	1	9
Balijan No. 1	1	0	1	18
	17	1	0	15
	229	0	1	18
	227	0	1	10
	Total	2	1	1
Naharkati 22(19) N.L.R. Grant	NIL			
Naharkati 126 No. F.S. Grant	2	1	4	14
				Railway line

[No. 31/65/63-ONG.]

## ERRATA

New Delhi, the 18th December 1963

S.O. 31.—In the Schedule to the notification of the Government of India in the Ministry of Mines and Fuel, S.O. No. 2758, dated the 21st September, 1963 published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th September, 1963, read survey No. "1935" for "2935" in village Rohini No. 196.

[No. 31/47/63-ONG.]

New Delhi, the 20th December 1963

S.O. 32.—In the Schedule to the notification of the Government of India in the Ministry of Mines and Fuel, S.O. No. 2133, dated the 5th August, 1963 published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 21st September, 1963:—

Read

"0.055" acres for "0.005" acres against Survey No. 229A of village Bichgarha No. 358.

"0.20" acres for "0.18" acres against Survey No. 217 of village Bichgarha No. 358.

"0.05" acres for "0.025" acres against Survey No. 551 of village Paharpur No. 301.

"0.165" acres for "0.14" acres against Survey No. 22 of village Buchi No. 184.

"1.57" acres for "1.50" acres against Survey No. 470B of village Nawadih No. 214.

"0.07" acres for "0.01" acres against Survey No. 145 of village Mohanpur No. 216.

[No. 31/47/63-ONG.]

*New Delhi, the 24th December, 1963*

**S.O. 33.**—In the Schedule to the notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2138, dated the 6th August, 1963, published in the Gazette of India Part II, Section 3, Sub-section (ii) dated the 17th August, 1963:

In village Butberia, thana No. 17 (Sardari Circle Mihijam), read Survey No. "253F" for "243F".

In village Butberia, thana No. 17 (Sardari Circle Mihijam), against Survey No. 442, read "0·09" for "0·07".

In village Kangoi, thana No. 16 (Sardari Circle Mihijam), against Survey No. 1220A, read "0·024" for "0·004".

In village Kangoi, thana No. 16 (Sardari Circle Mihijam), against Survey No. 1167A, read "0·124" for "0·04".

[No. 31/47/63/ONG.]

**S.O. 34.**—In the Schedule to the notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2567, dated the 31st August, 1963, published in the Gazette of India Part II, Section 3, Sub-section (ii) dated the 7th September, 1963:

In village Kangoi, thana No. 16 (Sardari Circle Mihijam), against Survey No. 970, read "0·29" for "0·28".

In village Sahajpur, Thana No. 4 (Sardari Circle Pindari), against Survey No. 1269, read "0·065" for "0·06".

In village Sakalpur, Thana No. 6, (Sardari Circle Pindari), against Survey No. 919, read "0·37" for "0·34".

In village Sakalpur, Thana No. 6, (Sardari Circle Pindari), against Survey No. 1609, read "0·728" for "0·693".

[No. 31/47/63/ONG.]

**S.O. 35.**—In the Schedule to the notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2641, dated 7th September, 1963, published in the Gazette of India Part II, Section 3, sub-section (ii) dated the 14th September, 1963:

In village Sahardal, Thana No. 1 (Sardari Circle Mihijam), read Survey No. "2253" for "3253".

In village Pialsola, Thana No. 10 (Sardari Circle Mihijam), for Survey No. "2974" read "2978".

In village Pialsola, Thana No. 10 (Sardari Circle Mihijam), read Survey No. "2692" against 0·122, for Survey No. "2602".

In Village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 863, read "0·01" for "0·005".

In Village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 901, read "0·14" for "0·13".

In Village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 912A, read "0·29" for "0·25".

In Village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 913, read "0·16" for "0·11".

In Village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 983, read "0·10" for "0·09".

In Village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 1009A, read "0·825" for "0·70".

In village Amoi, Thana No. 13 (Sardari Circle Mihijam), against Survey No. 1007, read "0·04" for "0·03".

In Village Gaichhand, Thana No. 8 (Sardari Circle Gaichhand) against Survey No. 738, read "0.005" for "0.003".

In Village Pialsola, Thana No. 10 (Sardari Circle Mihijam).

Read "2632" For "2692"  
           3268           3268

In Village Pialsola, Thana No. 10 (Sardari Circle Mihijam).

read Survey No.  $\frac{3146}{3284}$  for " $\frac{3144}{3284}$ "

In Village Rajamdih, Thana No. 17 (Sardari Circle Gaichhand)

read Survey No. " $\frac{115}{757}$ " for  $\frac{115}{757}$

At page 3353 of the Gazette of India Part II, Section 3(ii), dated 14th September, 1963, read "Budhudih No. 6" for "Budhadhi No. 6" and "Baghnadih No. 490, thana Madhupur" for "Baghuadih No. 490" "Nawadih No. 488, thana Madhupur" for "Nawadih No. 488" "Vitia No. 508, thana Madhupur" for "Vitia No. 508" "Salaiya No. 278, thana Madhupur" for "Salaiya No. 278" "Mahuadabar No. 277, thana Madhupur" for "Mshuadabar No. 277" "Piprasol No. 276, thana Madhupur" for "Piprasol No. 276" "Nemobad No. 367, thana Madhupur" for "Nemobad No. 367" "Jaljori No. 54, "Sardari Circle Kalajhariva" for "Jeal-jori No. 54" and "Raghunathpur No. 64, Sardari Circle Kalajharia" for "Raghunathpur No. 64".

[No. 31/47/63-ONG.]

B. SUBBA RAO, Under Secy.

## MINISTRY OF STEEL, MINES AND HEAVY ENGINEERING

### (Department of Mines and Metals)

New Delhi, the 20th December 1963

**S.O. 36.**—In exercise of the powers conferred by sub-section (1) of section 15 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952) read with rule 20 of the Coal Mines (Conservation and Safety) Rules, 1954, and in supersession of all previous notifications on the subject, the Central Government hereby reconstitutes the Technical Advisory Committee (Mining) with immediate effect, which shall consist of the following persons, namely:—

- |  |   |
|--|---|
| 1. Shri B. K. Ghosh,<br>Chief Mining Engineer,<br>Coal Board.  | Chairman<br>(nominated by the Coal Board).                            |
| 2. Shri R. G. Deo,<br>Additional Chief Inspector of<br>Mines,<br>Dhanbad.  | Member  |
| 3. Shri S. S. Grewal,<br>Chief Mining Adviser,<br>Railways,<br>Dhanbad.  | Member  |
| 4. Shri P. K. Ghosh,<br>Superintending Geologist,<br>Geological Survey of India,<br>27, Chowringhee Road,<br>Calcutta. | Member<br>(nominated by the Director, Geological<br>Survey of India). |

5. Shri A. A. Beard,  
Chief Mining Engineer,  
Messrs. Bird & Co.,  
Chartered Bank Buildings,  
Calcutta.
6. Shri S. C. Dey,  
Director of Planning,  
National Coal Development  
Corporation Ltd.,  
Ranchi.
7. Shri M. K. Bose,  
Agent,  
Messrs. Macneill & Barry  
Limited,  
Methani, P.O. Sitarampur,  
Burdwan.
8. Shri B. H. Engineer,  
Chief Mining Engineer,  
Tata Iron & Steel Co. Ltd.,  
Jamadoba, P.O. Jealgora,  
Dhanbad.

} *Members*  
(representatives of mining interests  
co-opted by the Board).

Shri B. M. Mukherjee, Inspecting Officer, Coal Board, Dhanbad, will act as Secretary to the Committee.

[No. C5-4(4)/63.]

*New Delhi, the 27th December 1963*

**S.O. 37.**—In exercise of the powers conferred by sub-section (1) of section 15 of the Coal Mines (Conservation and Safety) Act, 1952, read with rule 21 of the Coal Mines (Conservation and Safety) Rules, 1954, the Central Government reconstitutes with effect from the 1st August, 1963, the Advisory Committee on Stowing, which shall consist of the following persons, namely:—

*Chairman*

1. Shri A. C. Bose, Chairman, Coal Board—(*nominated by the Coal Board*).

*Members*

2. Shri G. S. Jabbi, Chief Inspector of Mines or his nominee.
3. Dr. K. N. Sinha, Officer on Special Duty, Central Mining Research Station or his nominee.
4. Mr. R. H. Wright, M/s. Andrew Yule & Company Ltd.—*Representatives of the Indian Mining Association.*
5. Mr. O. H. Senior, M/s. Bird and Company (Private) Ltd.—*Representatives of the Indian Mining Association.*
6. Lala Inder Mohan Thapar, Messrs. Karam Chand Thapar & Bros. (Private) Ltd.—*Representative of Indian Mining Federation.*
7. Shri B. C. Shah, Sendra Bansjora Colliery, Dhanbad—*Representative of the Indian Colliery Owners' Association.*
8. Shri K. S. R. Chari, Area General Manager, Bokaro & Kargali—*Representative of National Coal Development Corporation Ltd.*
9. Shri L. R. Sharma, Additional General Manager—*Representative of Singareni Collieries Company Ltd.*

The Notification of the Government of India in the late Ministry of Mines and Fuel No. S.O. 2782, dated the 3rd September, 1962 stands superseded with effect from the 1st August, 1963.

[No. C5-4(3)/63.]

N. LAKSHMAN RAU, Dy. Secy.

## (Department of Mines and Metals)

New Delhi, the 26th December 1963

**S.O. 38.**—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi or at the office of the Deputy Commissioner, Hazaribagh (Bihar), or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi within 90 days from the date of publication of this notification.

## SCHEDULE

CHORDHARA BLOCKS A, B &amp; C

Drg. No. Rev/92/63,  
dated 21-8-1963.  
(Showing land notified for  
prospecting).

## BLOCK—A

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Chordhara	Ramgarh	55	Hazaribagh		Part
Total area: 31.00 acres (Approx.) or 12.56 hectares (Approx.).						

## BOUNDARY DESCRIPTION:

- 1—2 line passes through village Chordhara and meets at point 2.
- 2—3 line passes through village Chordhara and meets at point 3.
- 3—4 line passes through village Chordhara i.e. along the part northern boundary of Road (From Barkakana to Bhurkunda) and meets at point 4.
- 4—5 line passes through village Chordhara and meets at point 5.
- 5—6 line passes through village Chordhara and meet at point 6.
- 6—7 line passes through village Chordhara and meets at point 7.
- 7—1 line passes through village Chordhara and meets at point 1.

## BLOCK—B

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Chordhara	Ramgarh	55	Hazaribagh		Part
Total area: 2.37 acres (Approx.) or 0.96 hectares (Approx.).						

## BOUNDARY DESCRIPTION:

- 8—9 line passes through village Chordhara and meets at point 9.
- 9—10 line passes through village Chordhara and meets at point 10.
- 10—11 line passes through village Chordhara and meets at point 11.
- 11—8 line passes through village Chordhara i.e. along the part southern boundary of road (from Barkakana to Bhurkunda) and meets at point 8.

## BLOCK—C

Sl. No.	Village	Thana	Thane No.	District	Area	Remarks
1.	Chordhara	Ramgarh	55	Hazaribagh		Part

Total Area: 12.45 acres (Approx.)  
or 5.04 hectares (Approx.).

## BOUNDARY DESCRIPTION:

- 12—13 line passes through village Chordhara and meets at point 13.  
13—14 line passes through village Chordhara and meets at point 14.  
14—15 line passes through village Chordhara and meets at point 15  
15—12 line passes through village Chordhara i.e. along the part southern boundary of Road (from Barkakana to Bhurkunda) and meets at point 12.

[No. C2-20(30)/63.]

New Delhi, the 27th December 1963

S.O. 39.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi or at the office of the Collector, Chhindwara (M.P.) or at the office of the Coal Controller, 1, Council House, Street, Calcutta.

All persons interested in the lands mentioned in the said schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi, within 90 days from the date of publication of this Notification.

## SCHEDULE

## CHHINDA BLOCK

Drg. No. Rev/58/63,  
Dated 31-5-1963.

Sl. No.	Village	Tahsil	District	Area	Remarks.
1	Setia	Chhindwara	Chhindwara		Part
2	Chhinda	Chhindwara	Chhindwara		Part
3	Ghaliwara	Chhindwara	Chhindwara		Part
4	Pindra	Chhindwara	Chhindwara		Part
5	Kukarmunda	Chhindwara	Chhindwara		Full
6	Khairichaitu	Chhindwara	Chhindwara		Part
7	Phutera	Chhindwara	Chhindwara		Part
8	Bijorikalan	Chhindwara	Chhindwara		Part
9	Sirgora	Chhindwara	Chhindwara		Full
10	Bichhuapathar	Chhindwara	Chhindwara		Full
11	Mandla	Chhindwara	Chhindwara		Part
12	Mandli	Chhindwara	Chhindwara		Part
13	Sirgori	Chhindwara	Chhindwara		Part
14	Haranbhata Tola	Chhindwara	Chhindwara		Full
15	Tendukhera	Chhindwara	Chhindwara		Full
16	Patatwara	Chhindwara	Chhindwara		Part
17	Kachania	Chhindwara	Chhindwara		Part

Sl. No.	Village	Tahsil	District	Area	Remarks
18	Thesagora . . . .	Chhindwara . . .	Chhindwara		Part
19	Thaonri R. F. . . .	Chhindwara . . .	Chhindwara		Part
20	Thesagora R. F. . . .	Chhindwara . . .	Chhindwara		Part
21	Lohangi . . . . .	Chhindwara	Chhindwara		Part
Total Area :— 10240·00 acres (Approximately)					
,, 4147·20 hectares (Approximately)					

**BOUNDARY DESCRIPTION:**

- A—B line passes along the left bank of the Pench River i.e. in villages Setia, Chhinda, Ghaliwara and meets at point 'B'.
- B—C—D lines passes through villages Ghaliwara, Pindra, Khairichaltu, Phutera, Bijorikalan, Lohangi, Kacharia and Patatwara and meet at point 'D'.
- D—E line passes through village Patatwara, Thesagora Reserve Forest, through village Sirgori, again through Thesagora Reserve Forest and then through village Thesagora and meets at point 'E'.
- E—A line passes through villages Thesagora, Sirgori, Mandli, Mandla, Thaonri Reserve Forest and through village Setia and meets and point 'A'.

[No. C2-22(22)/63.]

**S.O. 40.**—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi or at the office of the Collector, Sahdol (M.P.), or at the office of the Coal Controller, 1, Council House, Street, Calcutta.

All persons interested in the lands mentioned in the said schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi, within 90 days from the date of publication of this Notification.

**SCHEDULE****MAHUBARI KHURD BLOCK**

Drg. No. Rev/46/62,  
dated 26-6-1962.

Sl. No.	Village	Tahsil	Village No.	District	Area	Remarks
1.	Mahubari Khurd	Sohagpur	845	Sahool		Part

Total Area: 94·00 acres (Approx.).  
OR 38·07 hectares (Approx.).

**BOUNDARY DESCRIPTION:**

- 1—2 line passes through village Mahubari Khurd and meets at point '2'.

- 2—3—4 lines pass through village Mahubari Khurd and meet at point '4'.  
4—5 line passes along the part north-western boundary of Railway in village Mahubari Khurd and meets at point '5'.  
5—6 line passes through village Mahubari Khurd and meets at point '6'.  
6—7—1 lines pass through village Mahubari Khurd and meet at point '1'.

[No. C2-22(21)/63.]

**S.O. 41.**—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (I) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

## SCHEDULE

Drg. No. Rev/97/63,  
Dated 29-8-1963.

## BLOCK I

[illegible]

**BOUNDARY DESCRIPTION:**

- A—B line passes through Reserved Forest in Baikunthpur Tahsil (Korea State) and meets at point 'B'.
- B—C line passes through Reserved Forest in Baikunthpur Tahsil (Korea State) then passes through villages Kuppi, Gangapur alias Kundur, Shiwanagar alias Bhanwarkhoh, Anandpur alias Kodwaridanr in Jhilimili Thana and meets at point 'C'.
- C—D line passes through villages Anandpur alias Kodwaridanr, Shiwanagar alias Bhanwarkhoh and Kundargarah and meets at point 'D'.
- D—A line passes through villages Kundargarah, Shiwanagar alias Bhanwarkhoh in Jhilimili Thana and through Reserved Forest in Baikunthpur Tahsil (Korea State) and meets at point 'A'.

## BLOCK II

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Kuppi	Jhilimili	22	Surguja		Part
2	Karri	"	23	"		"
3	Gangapur alias Kundur	"	24	"		"
4	Dharsenri	"	25	"		"
Total area:			3744.00 Acres (Approximately)			
			Or 1516.32 Hectares (Approximately)			
			Or 5.85 Sq. miles.			



**BOUNDARY DESCRIPTION:**

- E—F line passes through village Kuppi and meets at point 'F'.  
 F—G line passes through villages Kuppi, Karri and Dharsenri and meets at point 'G'.  
 G—H line passes through village Dharsenri and meets at point 'H'.  
 H—E line passes through villages Dharsenri, Gangapur *alias* Kundur and Kuppi and meets at point 'E'.

**BLOCK III**

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Karri	Jhilimili	23	Surguja		Part
2	Dharsenri	"	25	"		"
3	Barsara	"	43	"		"
4	Baskarpara	"	42	"		"

Total area:— 2208.00 Acres (Approximately)  
 Or 894.24 Hectares (Approximately)  
 Or 3.45 Sq. miles.

**BOUNDARY DESCRIPTION:**

- I—J line passes through village Karri and meets at point 'J'.  
 J—K line passes along part southern boundary of village Karri, southern boundary of village Dharsenri and part western boundary of village Barsara (i.e. along part common boundary of Korea and Surguja State) as meet at point 'K'.  
 K—L—M—N—O—P—Q lines pass through villages Barsara, Baskarpara, again through Barsara and then through village Dharsenri and meet at point 'Q'.  
 Q—I line passes through villages Dharsenri and Kurri and meets at point 'I'.

**BLOCK IV**

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks.
1	Baskarpara	Jhilimili	42	Surguja		Part
2	Barsara	"	43	"		"
3	Karanda Munra	"	44	"		"
4	Kurridih	"	62	"		"

Total area:— 1164.80 Acres (Approximately)  
 Or 471.74 Hectares (Approximately)  
 Or 1.82 Sq. miles.

**BOUNDARY DESCRIPTION:**

- R—S line passes along the part western boundary of village Barsara and part western boundary of village Karanda Munra (i.e. along part common boundary of Korea and Surguja State) and meets at point 'S'.  
 S—T—U—V lines pass through villages Karanda Munra, Barsara, Kurridih and Baskarpara and meet at point 'V'.  
 V—W—X—Y—R lines pass through villages Baskarpara, Kurridih again through Baskarpara then through Barsara and meet at point 'R'.

## BLOCK V

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1	Tarka	Jhillimili	29	Surguja		Part
2	Darripara	"	39	"		"
3	Danaulikhurd	"	40	"		"
4	Khanrapara	"	41	"		"
5	Baskarpara	"	42	"		"
6	Kurridih	"	62	"		"
7	Kewara	"	63	"		"

Total area:— 2003.20 Acres (Approximately)  
 Or 811.30 Hectares (Approximately)  
 Or 3.13 Sq. miles.

## BOUNDARY DESCRIPTION:

Z—A/I—B/I—U lines pass through villages Khanrapara, Danaulikhurd, Kewara, Kurridih and Baskarpara and meet at point 'U'.

U—C/I line passes through villages Baskarpara and Kurridih and meets at point 'C/I'.

C/I—D/I—E/I lines pass through villages Kurridih, Kewara, Danaulikhurd, again through village Kewara and through village Darripara and meet at point 'E/I'.

E/I—F/I line passes along the part common boundary of villages Darripara and Ghosa and meet at point 'F/I'.

F/I—G/I line passes through villages Darripara and Tarka and meet at point 'G/I'.

G/I—H/I line passes along the part common boundary of villages Tarka and Gobindnagar alias Dunrha and meets at point 'H/I'.

H/I—Z line passes along the part common boundary of villages Khanrapara and Gobindnagar alias Dunrha and meet at point 'Z'.

The plan of the area covered by this notification may be inspected in the office of the Collector, Surguja (M.P.) or at the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi.

[No. C2-22(19)/63.]

New Delhi, the 28th December 1963

**S.O. 42.**—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Ltd., (Revenue Section), Darbhanga House, Ranchi or at the Office of the Deputy Commissioner, Dhanbad or at the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons/interest in the lands mentioned in the said Schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi, within 90 days from the date of publication of this notification.

## SCHEDULE

## PARBATPUR BLOCK

(Drg. No. Rev/100/63  
dated 8-9-63).

(Jharia Coalfield)

(Showing lands notified  
for prospecting)

Serial No.	Village	Thana	Thana No.	District	Area	Remarks
1	Tetengabad	Jharia	90	Dhanbad		Part
2	Majhiladi or Jogidi	Jharia	91	Dhanbad		Part
3	Bardubhi	Jharia	92	Dhanbad		Part
4	Jatudih	Jharia	104	Dhanbad		Part
5	Gansadih	Jharia	105	Dhanbad		Part
6	Jarma	Jharia	106	Dhanbad		Part
7	Parbatpur	Chas	204	Dhanbad		Part
8	Batbinor	Chas	205	Dhanbad		Part
9	Diborda	Chas	208	Dhanbad		Part
10	Nayaban or Pabratn	Chas	209	Dhanbad		Part
11	Talgaria	Chas	210	Dhanbad		Full
12	Silphor	Chas	211	Dhanbad		Full
13	Fatepur	Chas	212	Dhanbad		Full
14	Kendulia	Chas	215	Dhanbad		Part
15	Tilatanr	Chas	216	Dhanbad		Part
16	Birajdi	Chas	217	Dhanbad		Full
17	Nawadi	Chas	218	Dhanbad		Full
18	Karmatanr	Chas	219	Dhanbad		Full
19	Debagram	Chas	220	Dhanbad		Full
20	Uparbandha	Chas	221	Dhanbad		Part
21	Jugidi	Chas	222	Dhanbad		Part
22	Mahal	Chas	225	Dhanbad		Part

TOTAL Area : 5035 Acres

(Approximate)

## BOUNDARY DESCRIPTION:

A-B line passes through River Damodar in village Tentengabad and then through villages Nayaban or Pabratn, Diborda, Parbatpur and Batbinor and meets at point 'B'.

B-C line passes through village Batbinor, along the common boundary of villages Parbatpur and Kuraya or Babugram, Parbatpur and Uparbandha and then through villages Uparbandha, Jugidi and Mahal and meets at point 'C'.

C-D line passes through villages Mahal, Tilatanr and Kendulia and meets at point 'D'.

D-E line passes along the Eastern boundary of villages Tilatanr, Fatepur and Silphor and meets at point 'E'.

E-F line passes through River Damodar, which is part common boundary of villages Jarma and Petia and meets at point 'F'.

F-A line passes through villages Jarma, Gansadih, Jatudih, Bardubhi, Majhiladi or Jogidi and Tetengabad (i.e. along the part left bank of River Damodar) and meets at point 'A'.

[No. C2-20(31)/63.]

**S.O. 43.**—The Central Government hereby appoints Shri M. Z. Hasan, District and Session Judge, Bilaspur, as Tribunal for the purpose of determining the amount of compensation that may be payable under the Coal Bearing Areas (Acquisition and Development) Act, 1957.

[No. C2-1(9)/63.]

A. NABAR, Under Secy

## MINISTRY OF TRANSPORT

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 23rd December 1963

**S.O. 44.**—In exercise of the powers conferred by sub-section (3) of section 11 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby directs that at the port of Mormugao the whole of the business of the Shipping Office shall, with effect from the 10th July, 1963, be conducted at the office of the Mercantile Marine Department, Mormugao.

[No. F. 24-MA(7)/63.]

**S.O. 45.**—In exercise of the powers conferred by Clause (32) of Section 3 read with Section 184 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby designates the Surveyor-in-Charge, Mercantile Marine Department, Mormugao as the proper office for the purpose of the said Section 184.

[No. F. 24-MA(7)/63.]

D. S. NIM, Dy. Secy.

## DEPARTMENT OF POSTS AND TELEGRAPHS

New Delhi, the 24th December 1963

**S.O. 46.**—In exercise of the powers conferred by Sections 21 and 23 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. (i) These rules may be called the Indian Post Office (Eleventh amendment) Rules, 1963.

(ii) They shall come into force on the 1st day of January, 1964.

2. In the Indian Post Office Rules, 1933—

- (a) in rule 46-B, the words “or which have an open panel” shall be deleted;
- (b) after rule 46-B, the following rule shall be inserted; namely:—

“46-C(1) No article shall be transmitted by post in an envelope with an open (cut-out) panel which does not conform to the following conditions; namely:—

- (a) the open (cut-out) panel must not exceed 10 cm in length by 3.5 cm in breadth;
- (b) the panel must extend parallel to the length of the envelope;
- (c) a minimum space of 1.5 cm must be left above the panel for the postage stamp and the date-stamp impression;
- (d) no writing or printing other than the address may be visible through the panel and the address must appear through the panel in such a manner as can be read easily;
- (e) the enclosure must be so folded that it cannot move about in the envelope, and thus cause the address to be hidden;
- (f) a minimum space of at least 1.5 cm must be left between the sides and base of the cut-out panel and the respective edges of the envelope.

(2) If during the transmission by post an envelope with an open (cut-out) panel is found to be not in conformity with the provisions of sub-rule (1), it shall be returned to the sender”.

[No. 3/6/63-CL.]

A. V. SESHANNA,  
Director Postal Technical

**MINISTRY OF FOOD AND AGRICULTURE**

(Department of Agriculture)

New Delhi, the 21st December 1963

**S.O. 47.**—The following draft of the Turmeric Grading and Marking Rules, 1963, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 20th January, 1964.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

**TURMERIC GRADING AND MARKING RULES, 1963**

**1. Short title and application.**—(1) These rules may be called the Turmeric Grading Marking Rules, 1963.

(2) They shall apply to turmeric, both in whole and powder form, produced in India.

**2. Definitions.**—In these rules,—

(1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.

(2) "Schedule" means a Schedule appended to these rules.

**3. Grade Designations.**—Grade designations to indicate the quality of turmeric shall be as set out in column 1 of Schedules II to IV.

**4. Definition of quality.**—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 7 in Schedule II, in columns 2 to 4 in Schedule III and in columns 2 to 3 in Schedule IV.

**5. Grade designation marks.**—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word 'AGMARK' and the figure of the rising sun, with the words 'Produce of India' and ( ' भारतीय उत्पाद ' ) resembling the one as set out in Schedule I.

**6. Methods of Marking.**—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser and shall clearly show the following particulars, namely:—

(a) Grade designation, with the words "turmeric fingers", "turmeric bulbs" or "turmeric powder" as the case may be.

(b) Variety or trade name in the case of fingers and bulbs only.

(c) Net weight.

(d) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said officer, provided that the private trade mark does not represent quality or grade of turmeric different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

**7. Method of Packing.**—(1) Only sound, clean and dry containers, such as may be prescribed by the Agricultural Marketing Adviser, shall be used for packing. They shall be free from any insect infestation or fungus contamination and also be free from any undesirable smell.

(2) The containers shall be securely closed and sealed, in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain turmeric of one grade designation only.

**8. Special conditions of Certificate of Authorisation.**—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the

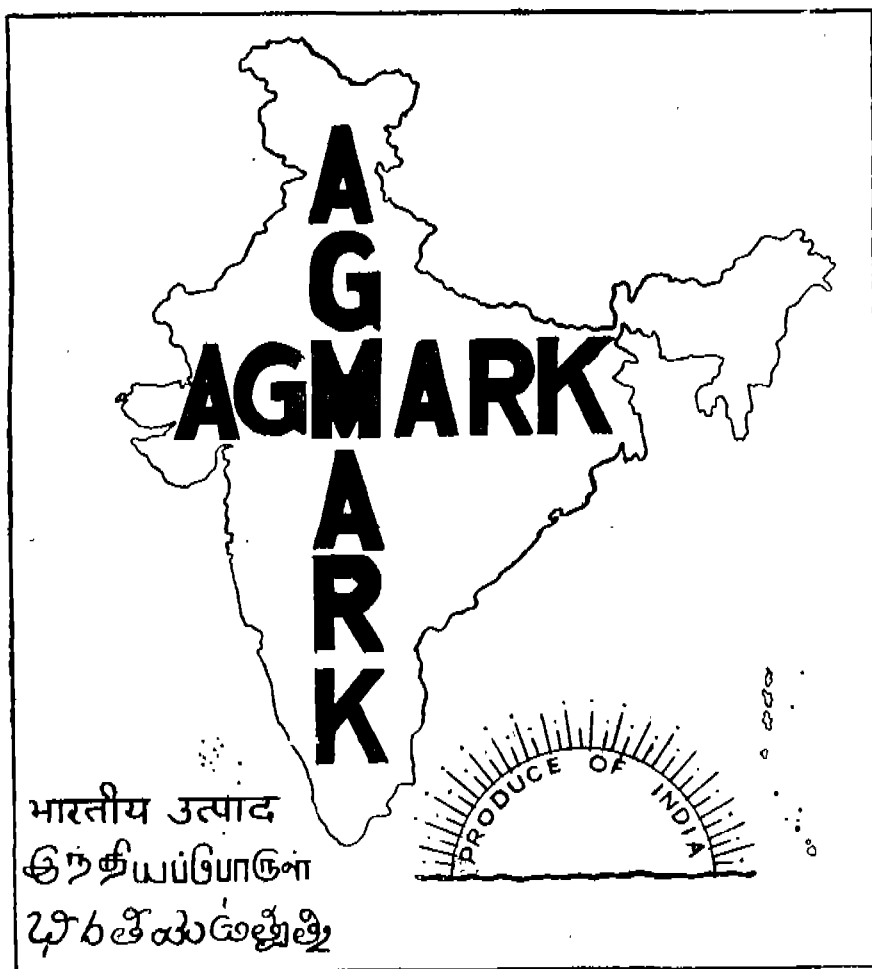
following special conditions shall be observed by packers to the satisfaction of Agricultural Marketing Adviser, namely:—

- (1) An authorised packer shall make such arrangements for testing turmeric, as may be prescribed, and samples thereof shall be forwarded to such Control Laboratories, as may be specified from time to time by the Agricultural Marketing Adviser.
- (2) An authorised packer shall provide all facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf, for sampling, testing and such other matters as may be necessary.

#### SCHEDULE I

(See rule 5)

Design for the grade designation mark



NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for the purpose of export.

SCHEDULE II

(See Rules 3 and 4)

Grade designations and definition of quality of turmeric 'Fingers' produced in India.

Grade Designation	Special Characteristics					General Characteristics
	Flexibility	Surface	Foreign matter % by wt. maximum	Chora and defective bulbs % by wt. max	Percentage of bulbs (by weight) maximum	
1	2	3	4	5	6	7
Special	Should be hard to touch and break with metallic twang.	Should be free from wrinkles.	1.0	0.5	1.0	1. The turmeric 'fingers' shall be secondary rhizomes of the plant <i>Curcuma longa</i> L. 2. They shall: (a) be well set and closely grained and be free from bulbs (Primary rhizomes) and ill developed porous fingers; (b) have the shape, length (not below 15 mm.) and colour characteristic of the variety.
Good	Do.	Should not be highly shrivelled.	1.5	1.0	3.0	(c) be perfectly dry and free from damage caused by weevils, moisture, over-boiling or fungus attack except that 0.1% and 0.2% by weight of rhizomes damaged by moisture and over-boiling shall be allowed in grades good and Fair respectively.
Fair	Should be hard	Do.	2.0	1.5	5.0	(d) not have been artificially coloured with chemicals or dye.
Non-Specified	..	..	..	..	..	

*FO Foreign matter:* includes chaff, dried leaves, powder, clay particles, dust, dirt and any other extraneous matter.

*Length:* Shall be reckoned from one tip of the finger to the other tip longitudinally.

*Colour of Core and Flexibility:* shall be reckoned from fingers freshly broken with hands.

*Chora and defective bulbs:* includes immature small fingers and/or bulbs, internally damaged, hollow and porous bulbs, cut bulbs and other types of damaged bulbs except weevilled bulbs.

*Non-specified:* This is not a grade in its strict sense, but has been provided for the produce not covered by the other grades. Turmeric fingers under this grade shall be exported only against a 'Firm Order'.

## SCHEDULE III

(See Rules 3 and 4)

Grade designations and definition of Quality of Turmeric bulbs (Rounds, Gathas or Golas) Produced in India.

Grade designation	Special Characteristics		General Characteristics
	Foreign matter % by weight maximum	Chora & defective bulbs % by weight maximum	
1	2	3	4
Special . . . . .	1.0	1.0	1. The turmeric bulbs shall be primary rhizomes of the plant <i>Curcuma longa</i> L. (Syn. <i>C. domestica</i> Val.)
Good . . . . .	1.5	3.0	2. They shall : (a) be well developed, smooth, sound, soft and free from rootlets;
Fair . . . . .	2.0	5.0	(b) have the shape, length (not below 15 mm), and colour characteristic of the variety;
Non-specified . . . . .	..	..	(c) be perfectly dry; (d) be free from damage caused by weevils, moisture, over-boiling or fungus attack except that 0.1% and 0.2% by weight of rhizomes damaged by moisture and overboiling shall be allowed in grades Good and Fair respectively; (e) have not been artificially coloured with chemicals or dyes.

*Foreign matter:* includes chaff, dried leaves, powder, clay particles, dust, dirt and any other extraneous matter.

*Chora and defective bulbs:* includes immature small fingers and/or bulbs, internally damaged, hollow bulbs, cut bulbs and other types of damaged bulbs except weevilled bulbs.

*Length:* shall be reckoned at the points of greatest thickness of the bulbs.

*Colour of Core:* shall be reckoned in bulbs freshly broken with hands.

*Non-specified:* This is not a grade in its strict sense, but has been provided for the produce not covered by the other grades. Turmeric bulbs under this grade shall be exported only against a 'Firm Order'.



## SCHEDULE IV

(See Rules 3 and 4)

\*Grade designation and definition of quality of turmeric powder

Grade designation	Special Characteristics					Chromate test	General Characteristics
	Mositure percent by wt. max.	Total ash % by wt. max.	Acid insoluble Ash % by wt. max.	Lead as (Pb) parts per million max.	Starch % by wt. max.		
1	2	3	4	5	6	7	8
Standard	10.0	7.0	1.5	2.5	60.0	Negative.	<ol style="list-style-type: none"> <li>1. The turmeric powder shall be prepared—by grinding clean dry turmeric (<i>Curcuma longa</i> L.) rhizomes.</li> <li>2. It shall have its characteristic taste, flavour and be free from musty odour.</li> <li>3. It shall be free from dirt, mould growth and insect infestation.</li> <li>4. It shall be free from any colouring matter such as lead chromate, preservatives and extraneous matters such as cereal or pulse flour or any added starch.</li> <li>5. It shall be ground to such a fineness that all of it passes through three hundred micron sieve.</li> </ol>

\*Adopted from IS: 2446—1963.

[No. F. 17-25/63-AM]

**S.O. 48.**—The following draft of Grading and Marking Rules, 1963 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is published as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 20th January, 1964.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

**DRAFT CHILLI POWDER GRADING AND MARKING RULES, 1963**

**1. Short title and application.**—(1) These rules may be called the Chilli Powder Grading and Marking Rules, 1963.

(2) They shall apply to Chilli (*Lal Mirchi*) Powder produced in India.

**2. Definitions.**—In these rules:—

(1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.

(2) "Schedule" means a Schedule appended to these rules.

**3. Grade designation.**—The grade designation to indicate the quality of Chilli Powder shall be as set out in column 1 of Schedule II.

**4. Definition of quality.**—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 7 in Schedule II.

**5. Grade designation marks.**—The grade designation mark shall consist of a label specifying the grade designation and bearing the design (consisting of an outline map of India with the word 'AGMARK' and the figure of the rising sun, with the words 'Produce of India' and 'भारतीय उत्पाद') resembling the one as set out in Schedule I.

**6. Methods of Marking.**—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser, and shall clearly show the following particulars:—

(a) Grade designation.

(b) Net weight.

(c) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said officer, provided that the private trade mark does not represent a quality or grade different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

**7. Method of Packing.**—(1) Only sound, clean and dry containers made of jute, cloth, paper or paper cartons with polythene lining of 300 gauge or glass containers or aluminium foil packs or cellophane bags shall be used for packing. Tin containers may be lined with 150 gauge polythene sheet. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed, in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain chilli powder of one grade designation only.

(4) Suitable number of small containers containing Chilli Powder of the same grade designation and from the same lot, may be packed in wooden or cardboard cases.

**8. Special conditions of Certificate of Authorisation.**—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the

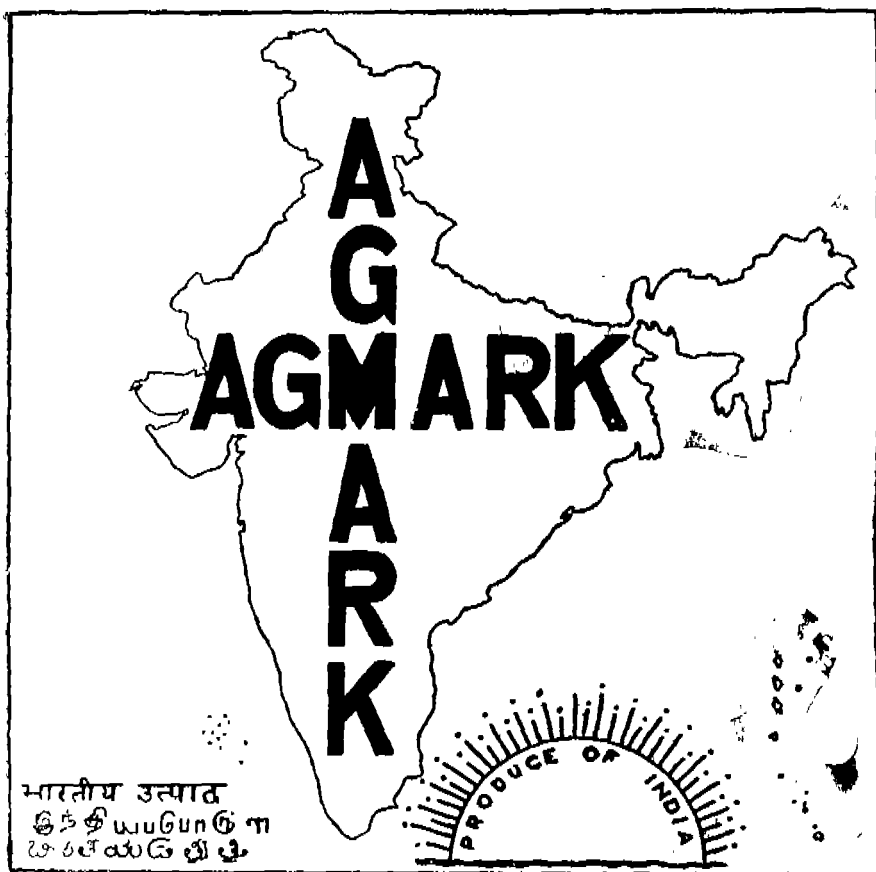
following special conditions shall be observed by packers to the satisfaction of the Agricultural Marketing Adviser:—

- (1) An authorised packer shall make such arrangements for testing chilli powder as may be prescribed by the Agricultural Marketing Adviser and samples thereof shall be forwarded to such control laboratories as may be specified by him from time to time.
- (2) An authorised packer shall provide all facilities, as may be necessary for sampling, testing etc. to the Inspecting Officers, duly authorised by the Agricultural Marketing Adviser in this behalf.

#### SCHEDULE I

(See rule 5)

Design for the grade designation mark



NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for the purpose of export.

## SCHEDULE II

(See rules 3 and 4)

## Grade designation and definition of quality of powdered chillies

Grade designation	Definition of Quality					General Characteristics
	Special Characteristics					
	Total Ash percentage (by weight) maximum	Ash Insoluble in Hcl. percentage (by weight) max.	Crude Fibre percentage (by weight) maximum	Non-volatile Ether extract percentage (by weight) minimum	Moisture percentage (by weight) maximum	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Standard . . . .	8.00	1.25	30.0	12.00	10.00	<p>Powdered chillies shall be the product obtained by grinding pure, clean, dried, ripe fruits of the genus <i>Capsicum</i> only and shall be free from extraneous matter.</p> <p>It shall also be free from damage by insect infestation and/or fungus contamination, mould growth, added colouring matter, oils flavouring matter and preservatives and other foreign substances or substitutes and from any extraneous or undesirable odour or flavour.</p> <p>It shall pass through a standard 500 micron sieve and nothing shall remain on the sieve.</p>

N.B.—Adopted from IS: 2445-1963.

[No. F. 17-29/63-AM(i) ]

New Delhi, the 30th December 1963

S.O. 49.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules to amend, the Pepper-Grading and Marking Rules 1961, the same having been previously published as required by the said section, namely:—

1. These rules may be called the Pepper Grading and Marking (Amendment) Rules, 1963.

2. In the Pepper Grading and Marking Rules, 1961,—

(i) in rules 3 and 4, for the words and figures "Schedules I to VI, the words, figures and letter, "Schedules I to V-A" shall be substituted;

(ii) for the foot-note under Schedule III, the following foot-note shall be substituted, namely:—

"These comprise dust, chaff, pickings and other foreign matter. Pin-heads beyond 5 per cent for G.L. Grade 1 and beyond 10 per cent for G.L. Grade 2 will be regarded as extraneous matter".

(iii) after Schedule V, the following Schedule shall be inserted, namely:—

"SCHEDULE V-A

(See rules 3 and 4)

*Grade Designations and Definitions of Quality of Garbled Tellichery,  
Bold Black—Pepper*

Grade Designation	**Size (Dia. of holes in m.m. of the sieve on which retained).	Extraneous matter* not exceeding (per cent by weight.)	Light berries not exceeding (per cent by weight).	Moisture content not exceeding (per cent by weight).	General Characteristics.
1	2	6	4	5	6
TSE. B (Tellichery Special Extra Bold).	4.75	0.5	2.0	11.0	Shall be the dried mature berries of <i>Piper nigrum</i> grown in South India, garbled, dark brown to dark black in colour, nearly globular with a wrinkled surface, the deepest wrinkles forming a net work on the dried berry. It shall be free from mould or insects or any other adulterant.
TEB. (Tellichery Extra Bold).	4.25	0.5	3.0	11.0	

\*These comprise dust, chaff, picking and other foreign matter.

\*\*Tolerance allowed is 5 per cent".

[No. F. 17-3/63-AM]

V. S. NIGAM, Under Secy.

## (Department of Agriculture)

New Delhi, the 24th December 1963

**S.O. 50.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Indian Agricultural Research Institute (Class I and Class II posts) Recruitment Rules, 1963, namely:—

1. These rules may be called the Indian Agricultural Research Institute (Class I and Class II Posts) Recruitment (Amendment) Rules, 1963.

2. In the Schedule to the Indian Agricultural Research Institute (Class I and Class II Posts) Recruitment Rules, 1963—

(1) against the posts "Assistant Soil Survey Officer", "Geneticist", "Assistant Geneticist", "Assistant Wheat Breeder", "Assistant Botanist", "Assistant Mycologist, Wheat Rust Control Scheme", "Assistant Virus Pathologist, Coord. Virus Research Scheme", "Agronomist", "Assistant Agronomist" and "Assistant Engineer" for the existing entries in column 2, the following entries shall respectively be substituted; namely:—

"2, 2, 3, 6, 6, 4, 2, 3, 3 and 2".

(2) against the posts "Chemist (Scheme for Essential Oils, Botany Division)", "Assistant Organic Chemist", and "Assistant Physical Chemist" for the word "civil" in column 3, the word "Service" shall be substituted,

(3) against the posts "Head of the Section Statistics" and "Head of the Section of Economics", for the existing entry in column 4 the following entry shall be substituted, namely:—

"Rs. 700—40—1,100—50/2—1,250".

(4) In column 7—

(i) against the post "Vegetable Specialist" for the words "based on work in breeding vegetables" the words "based on work on genetics or in breeding vegetables" shall be substituted;

(ii) against the post "Head of the Division of Agricultural Engineering" for the existing entries the following entries shall be substituted; namely:—

**"Essential.**—(i) Degree in Agricultural or Mechanical Engineering or equivalent.

(ii) About 10 years experience in the designing of agricultural implements and machinery in a workshop of repute and in the development farm lands, tillage and/or water management particularly irrigation and drainage engineering.

Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.

**Desirable.**—(i) Doctorate or post graduate degree based on work in Agricultural Engineering.

(ii) Experience in the running and maintenance of heavy agricultural and earth moving machinery and/or soil conservation programmes.

(iii) Experience in teaching.

(iv) First hand knowledge and demonstrated competence in the organisation and supervision of mechanical shops for development and construction of new implements and/or servicing of equipment."

[No. 21-14/57-Instt. I.]

## CORRIGENDA

New Delhi, the 24th December 1963

**S.O. 51.**—In the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.O. 109, dated the 3rd April, 1963, published at pages 1152 to 1255 of Part II—Section 3—sub-section (ii) of the Gazette of India, dated the 13th April, 1963—

(i) at page 1156, in line 28, for "Bichemist" read "Biochemist";

(ii) at page 1166, in line 5, for "Toxcity" read "Toxicity";

- (iii) at page 1200, in line 20, for "Faxonomy" read "Taxonomy";
- (iv) at page 1202, in line 14, for "evdenced" read "evidenced";
- (v) at page 1204—
  - (a) in line 1, for "2250" read "1250";
  - (b) in line 59, omit "dis-";
- (vi) at page 1234, in line 13, for "insee sts" read "insect pests".

[No. 21-14/57-Instt.I.]

R. M. L. VAISH, Under Secy.

**(Department of Agriculture)****(Indian Council of Agricultural Research)***New Delhi, the 20th December 1963*

**S.O. 52.**—In exercise of the powers conferred by sub-section 4(viii) of Section 4 of the Indian Lac Cess Act, 1930 (24 of 1930), as amended from time to time, the Central Government is pleased to renominate the Financial Adviser to the Ministry of Food and Agriculture on the Governing Body of the Indian Lac Cess Committee to represent the Ministry of Finance up to 31st March, 1966.

[No. 3-37/63 Com. IV.]

*New Delhi, the 27th December 1963.*

**S.O. 53.**—In exercise of the powers conferred by sub-section 5(ix) of Section 4 of the Indian Lac Cess Act, 1930, as amended from time to time, the Central Government is pleased to nominate Shri Jwala Prasad Ji Agarwal, Secretary, Lac Chapra Vyapar Wardhini Sabha, P.O. Pendra, District Bilaspur to represent Lac Manufacturing Industry on the Advisory Board of the Indian Lac Cess Committee up to 31st March, 1966.

[No. 3-46/63-Com. IV.]

N. K. DUTTA, Under Secy.

**MINISTRY OF WORKS, HOUSING & REHABILITATION****(Department of W. & H.)***New Delhi, the 23rd December, 1963.*

**S.O. 54.**—In exercise of the powers conferred by section 3, of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958, (32 of 1958), the Central Government hereby appoints the officer mentioned in column I of the table below, being gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of respective jurisdiction in respect of the public premises specified in the corresponding entries in column 2 of the said table.

**THE TABLE**

Designation of officers	Categories of public premises and local limits of jurisdiction
I	2
Administrative Officer, All India Institute of Hygiene and Public Health, Calcutta.	<ol style="list-style-type: none"> <li>Plot No. 24 of the Calcutta Improvement Trust Scheme No. XLVII forming a part of the tenements named and styled as "Lake Camp No. IV".</li> <li>Plot No. 46 of the Calcutta Improvement Trust Scheme No. XLVII forming a part of the tenement named and styled as Lake Camp No. II.</li> </ol>

I

2

3. Land between Main Lake and Southern Avenue formed out of portions of premises No. 13, Baroj Road, 62, Lake Road and 20 Mudiali Road named and styled as "Lake Camp No. 1."
4. Plot Nos. 308 to 316, 330 to 333 and 361 to 376 of the Calcutta Improvement Trust Scheme No. XLVII jointly named and styled as "Lake Camp No. III"; and
5. The North-Eastern portion of the proposed park in Calcutta Improvement Trust Scheme No. XLVII

All situated within the Municipal Jurisdiction of Calcutta as defined under the Calcutta Municipal Act, 1951, Thana-Tollygunge.

[No. 32/28/63-Acc. II.]

S. L. VASUDEVA, Under Secy.

**(Department of Rehabilitation)**

**(Office of the Chief Settlement Commissioner)**

*New Delhi, the 14th July, 1959*

**S.O. 55.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the Union territory of Delhi for public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

Serial No.	Particulars of property		Area		Name of the evacuee with rights in the property
	Khewat No.	Khasra No.	Big.	Bis.	
Village Palam					
1	347/496	89/1/1	3	00	Abdul Samad and Kumar Uddin ss/o
		89/2	4	16	Abdul Rehman in equal shares 1/6 and
		89/3	4	16	Abdul Sattar s/o Abdul Ghani 1/6th, Abdul Khalag and Abdul Rahim and Mohmmad Hussain ss/o Abdul Razak in equal shares 1/3, Abdul Hamid s/o Abdul Rashid 1/9, Bashir Ahmed, Nazair Ahmed ss/o Ghafoor in equal shares 2/9, Full evacuee ownership rights.

[No. F. 1(16)/L&R/62.]

*New Delhi, the 26th December 1963*

**S.O. 56.**—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints all the Sub-Divisional Officers (Civil) in charge of the Sub-Divisions of the various districts in Punjab to be Additional Settlement Commissioners in that State for the purpose of performing within their respective jurisdiction the functions assigned to an Additional Settlement Commissioner by or under the said Act, in respect of agricultural lands in any



rural area including houses, cattle sheds and vacant sites, if any, in such area allotted alongwith any such lands.

[No. 3(69)/L&R/62.]

M. J. SRIVASTAVA,

Settlement Commissioner & Ex-Officio Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 21st December 1963

**S.O. 57.**—In exercise of the powers conferred by sub-section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the States of Maharashtra, Gujarat, Andhra Pradesh, Madras, Mysore and Kerala, Shri S. A. Kaptan, Assistant Settlement Officer in the office of the Regional Settlement Commissioner, Bombay as Assistant Custodian for the purpose of discharging the duties imposed on such custodian by or under the said Act with effect from 11th October, 1963.

[No. 8/9/55-Comp.I/ARG.]

**S.O. 58.**—In exercise of the powers conferred by clause (a) of sub-section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints for the State of Maharashtra, Gujarat, Andhra Pradesh, Madras, Mysore and Kerala, Shri S. A. Kaptan, Assistant Settlement Officer in the office of the Regional Settlement Commissioner, Bombay as Managing Officer for the custody, management and disposal of Compensation Pool with effect from 11th October, 1963.

[No. 8/9/55-Comp.I/ARG.]

**S.O. 59.**—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, the Central Government hereby appoints Shri S. A. Kaptan as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took charge of his office.

[No. 8/9/55-Comp.I/ARG.]

KANWAR BAHADUR,

Settlement Commissioner (A) &

Ex-Officio Dy. Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 28th December 1963

**S.O. 60.**—In exercise of the powers conferred upon me by Sub-Section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, N. P. Dube, Chief Settlement Commissioner, hereby delegate my powers under Sub-Section (2) of Section 30 of the said Act to all Sub-Divisional Officers (Civil) in charge of the Sub-Division of various districts in Punjab who have been appointed as Additional Settlement Commissioners vide Notification No. 3(69)/L&R/62 dated the 26th December, 1963 in so far as such orders relate to the recovery of public dues as defined in Rule 7 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.

[No. 3(69)/L&R/62.]

N. P. DUBE,

Chief Settlement Commissioner.

## MINISTRY OF INDUSTRY

### ORDER

New Delhi, the 30th December 1963

**S.O. 61 IDRA/6/1.**—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rule 5(1) of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 13th October, 1965, Shri A. S. Baghel, to be a member of the Development Council established by the Order of the Government of India in

the Ministry of Industry No. S.O. 3022 dated the 14th October, 1963, for the scheduled industries engaged in the manufacture or production of Drugs and Pharmaceuticals and directs that the following amendment shall be made in the said Order, namely:

In the said Order, after entry No. 24 relating to Dr. K. S. Madhavan Pillai, the following entry shall be inserted, namely:—

25. Shri A. S. Baghel, Deputy Secretary (IH), Ministry of Health, Patiala House, New Delhi.

[No. 1(10)/L.Pr./63.]

S. P. KRISHNAMURTHY, Under Secy.


### (Indian Standards Institution)

New Delhi, the 30th December 1963

S.O. 62. In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that the Standard Mark (s), design (s) of which together with the verbal description of the design (s) and the title (s) of the relevant Indian Standard(s) is given in the Schedule hereto annexed, has been specified.

This Standard Mark (s), for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, as amended in 1961, and the rules and regulations framed thereunder, shall come into force with effect from 1 January 1964.

### [THE SCHEDULE

Sl. No.]	Design of the Standard Mark	Product/Class of Products to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
I.	IS:1977 	Structural Steel (Ordinary Quality)	IS: 1977-1962 Specification for Structural Steel (Ordinary Quality)	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17 : 2]

S. K. SEN,

Head of the Certification Marks Department.

### MINISTRY OF EDUCATION

New Delhi, the 21st December 1963

S.O. 63.—In exercise of the powers conferred by section 13 of the Hindi Sahitya Sammelan Act, 1962 (13 of 1962), the Central Government hereby specifies a further period of one year from the date of expiry of the period mentioned in the notification of the Government of India in the Ministry of Education, S.O. 3827, dated the 17th December, 1962 as the period within which the first Governing Body shall arrange to hold elections to the Governing Body in accordance with the provisions of the rules made under section 12 and take such further steps as may be necessary for its due constitution within the period specified above.

[No. F. 19-55/62-H. 1.]

P. N. DHIR, Dy. Secy.

## (Department of Education)

*New Delhi, the 21st December 1963*

**S.O. 64.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

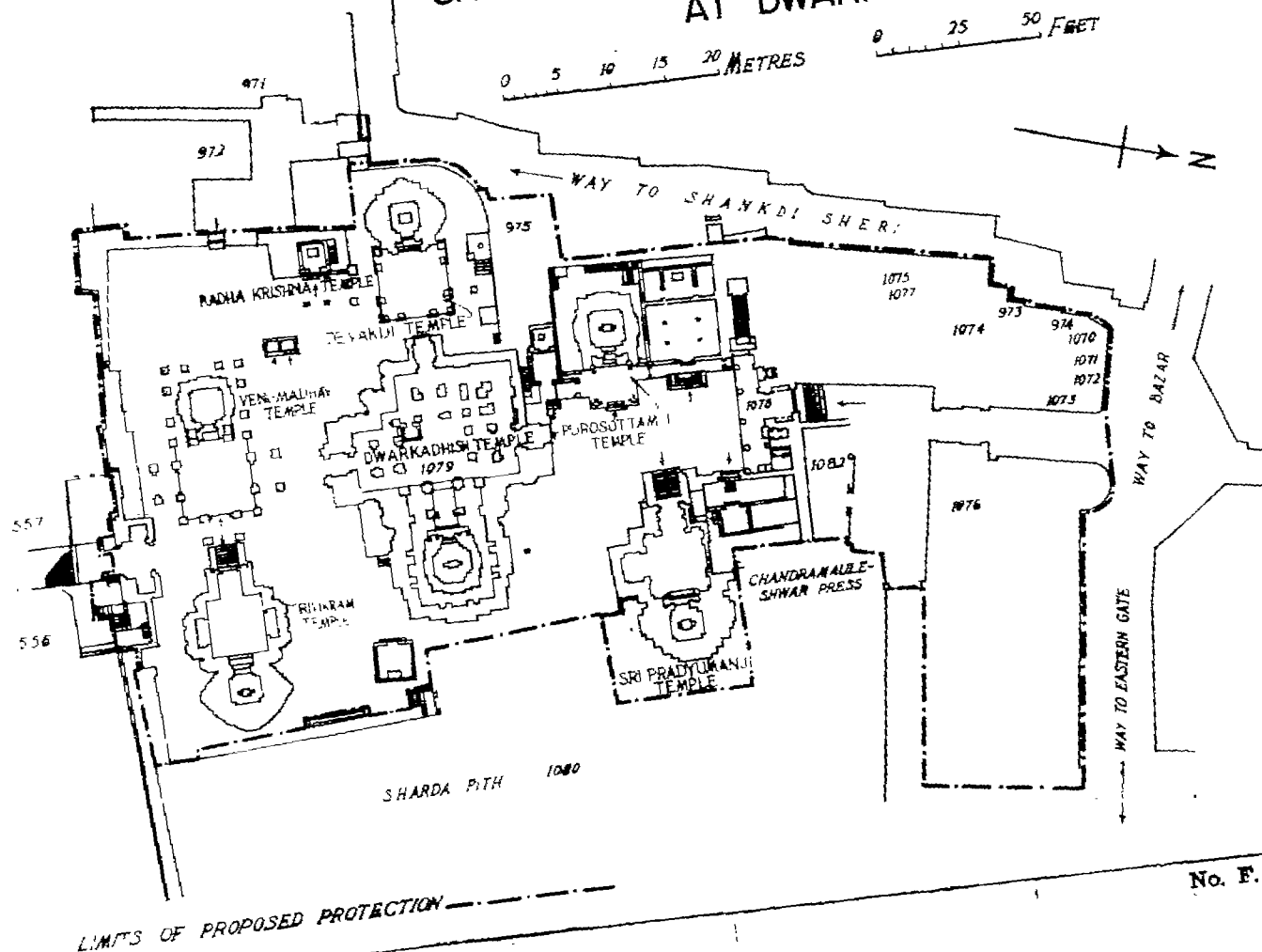
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

## SCHEDULE

SL. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1.	Gujarat	Jamnagar	Okha Mandal	Dwarka	Dwarkadhish group of temples with buildings including house numbers 1079, 1078, 1082, 1076, 1074, 1075, 1077, 1073, 1072, 1071, 1070, 974, 973 and land as shown in the site plan reproduced below.	The area included under sq. ft. protection is shown in the site plan reproduced below.	48789.50 sq. ft.	North : Public road East : Sharda Pith (house No. 1080) and Chandramakuleshwar Press South : Gomati river sea. West : Public road and private buildings including house No. 972.	House Nos. 1082, 1076, 1074, 1075, and 1077 owned by State Govt. and remaining under private ownership.	The temples are under worship.

# SITE PLAN OF DWARKADHISH TEMPLE AT DWARKA



## ARCHAEOLOGY

*New Delhi, the 21st December 1963*

**S.O. 65.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

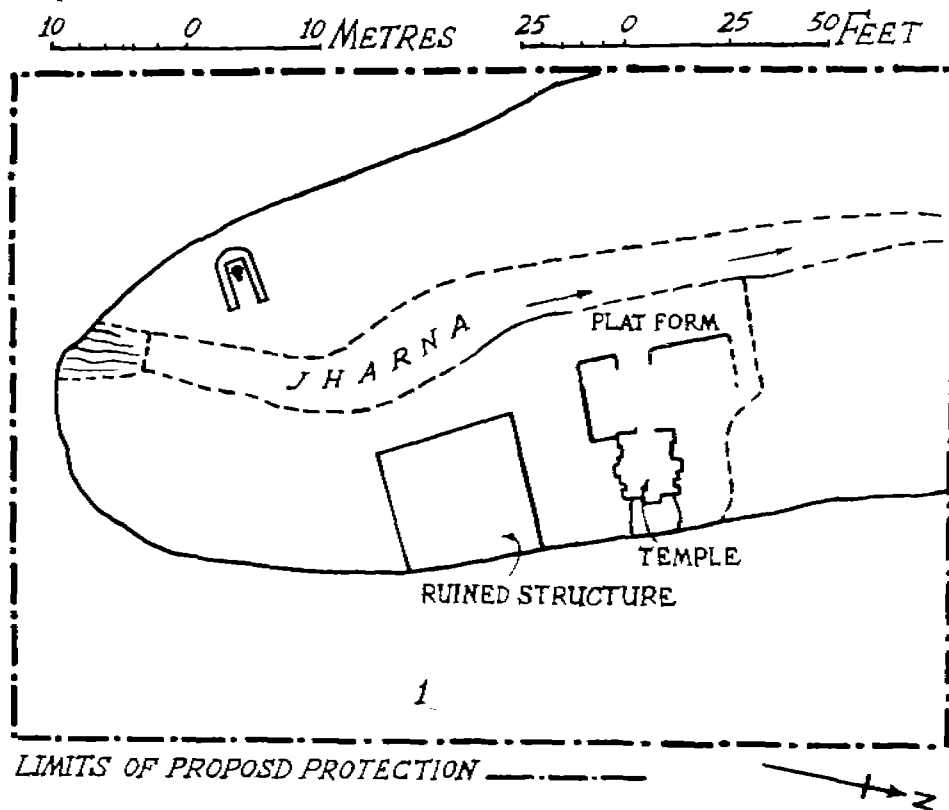
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

## SCHEDULE

SL No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Rajasthan	Bhilwara	Mandलग्राह	Khadipur village	Ancient temple known as Kaneriki-Putali together with adjacent land comprised in part of Survey plot No. 1.	Part Survey plot No. 1 as shown in the line block below.	4147 sq. yd.	<p><i>North:—</i> Remaining portion of Survey plot No. 1—forest area. ■</p> <p><i>East:—</i> Remaining portion of survey plot No. 1—forest area.</p> <p><i>South:—</i> Remaining portion of Survey plot No. 1—forest area.</p> <p><i>West:—</i> Remaining portion of survey plot No. 1—forest area.</p>	State Govt.	The temple is situated in forest 3 miles away from Khadipur village.

## SITE PLAN OF KANERI KI PUTALI AT KHADIPUR





**S.O. 68.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

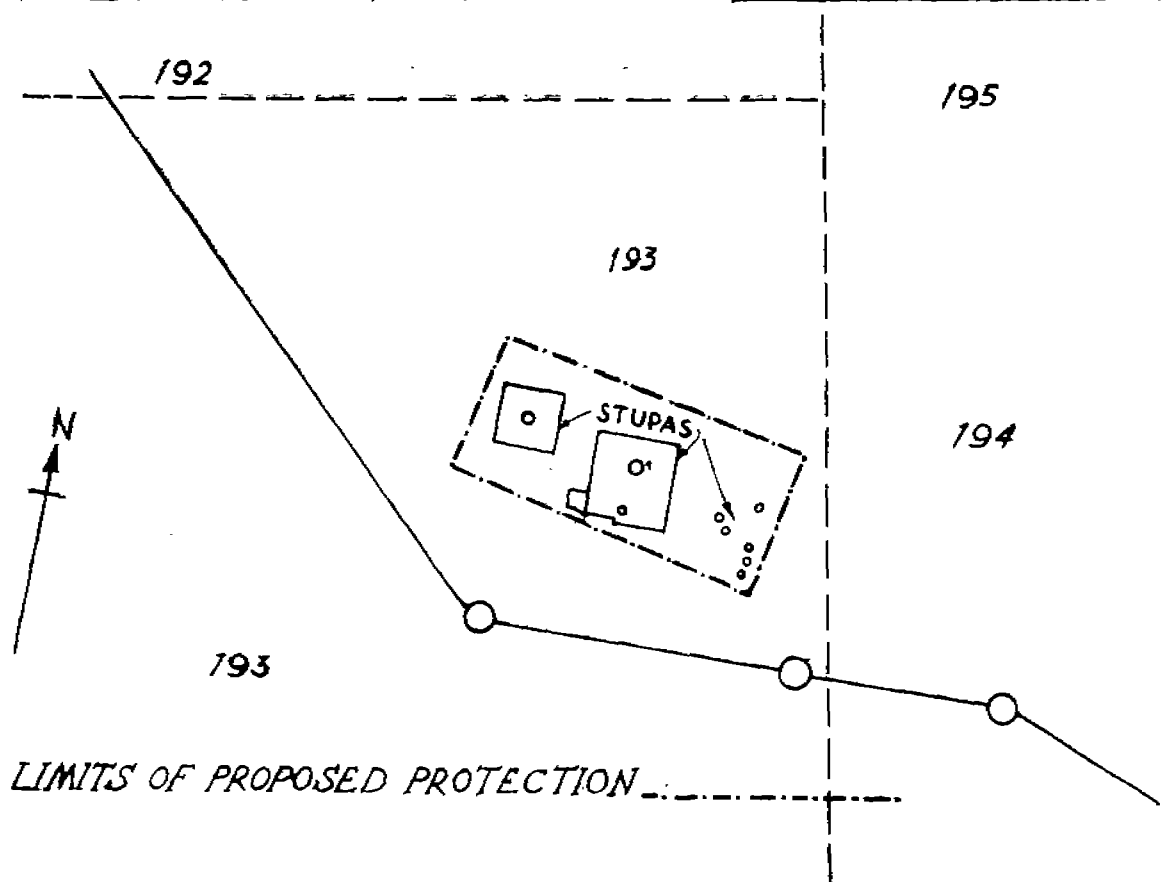
## SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Madhya Pradesh.	Raisen	Raisen	Sonari	Buddhist stupas together with adjacent land comprised in part of Survey plot No. 193.	Part of Survey plot No. 193 as shown in the site plan below.	8.556 Acres.	North: Remaining portion of Survey plot No. 193. East: Remaining portion of Survey plot No. 193. South: Remaining portion of survey plot No. 193. West: Remaining portion of survey plot No. 193.	Madhya Pradesh Forest Department.	

# SITE PLAN OF BUDDHIST STUPAS AT SONARI

100 0 100 200 METRES

500 0 500 FEET



LIMITS OF PROPOSED PROTECTION

[No. F. 4-30/63-C.I.]

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*New Delhi, the 24th December 1963*

S.O. 67.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

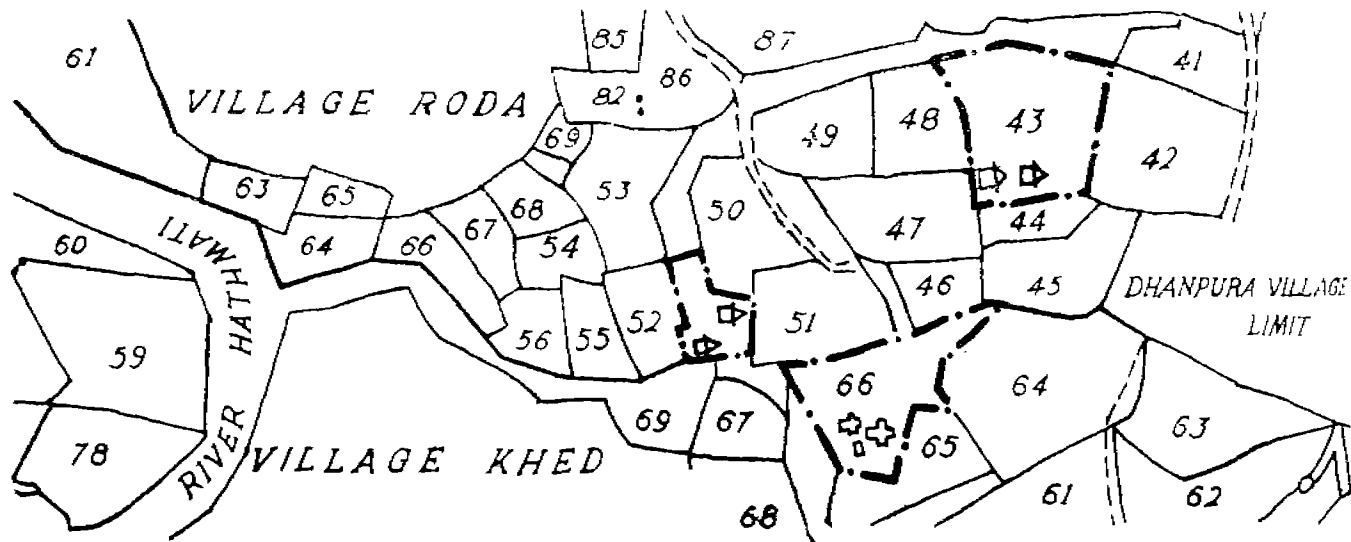
# SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Gujarat	Sabarkantha	Nimnagar	Khed and Roda (Raisingpur)	Group of temples at Khed and Roda (Raisingpur) as detailed below	1. Whole of Survey Plot No. 66 of village Khed.	4 Acres	North: Survey plot Nos. 64 of Khed of 45 of village Roda East: Survey plot No. 65 of village Khed	State	Not under Govern- worship. ment
					1. Two temples and a kund together with adjacent land comprised in survey plot No. 66 of village Khed.	2. Whole of survey of plot No. 43 of village Roda.	3 Gunthas	South: Wangha land of village khed. West: Survey plot Nos. 46, 51 and Wangha land of village Roda.		
					2. Two temples together with adjacent land comprised in survey plot No. 43 of village Roda.	3. Part of Wangh Kharaba land of village Roda as shown in the site plan below.	4 Gunthas.	2. North: Survey plot No. 42 of village Roda. South: Survey plot Nos. 47 & 48 of village Roda. West: Wangha land of village Roda.		
					3. Two temples together with adjacent part of the Wangha Kharaba land of village Roda as shown in the site plan below.			3. North: Survey plot Nos. 50 and 51 of village Roda. East: Survey plot Nos. 69 & 67 of Khed and remaining portion of Wangha land of village Roda. South: Survey plot No. 52 village Roda West: Remaining portion of Wangha land of village Roda.		

# SITE PLAN OF MONUMENTS AT RODA & KHED

0 150 300 450 METRES

0 500 1000 1500 FEET



LIMITS OF PROPOSED PROTECTION - - - - -

[No. F. 4-34/63-C1.]

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**S.O. 68.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

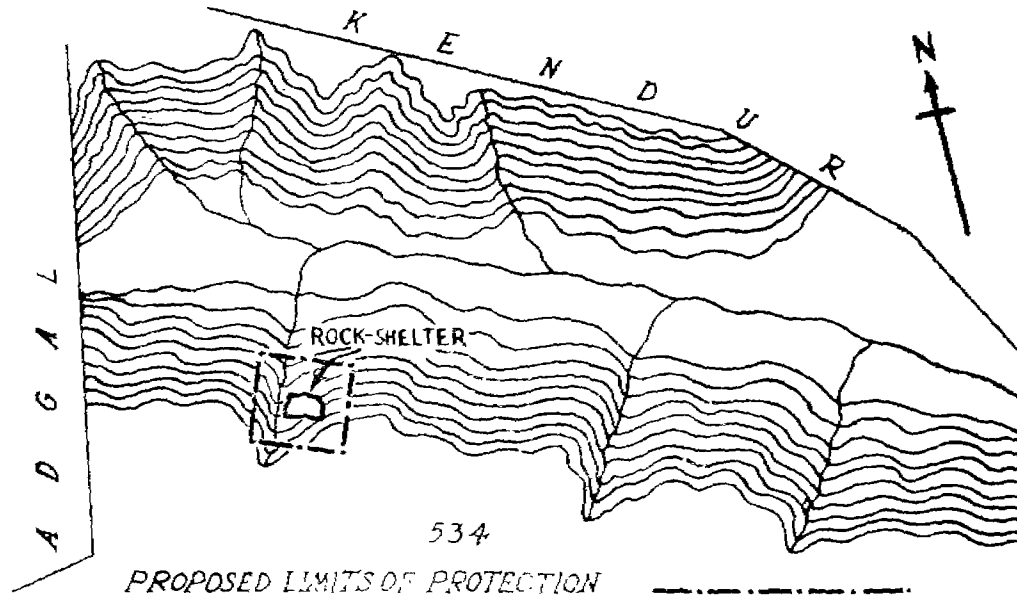
## SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/ site	Revenue plot number to be included under protection.	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Mysore	Bijapur	Badami	Badami	Rock-shelter locally known as Sidalephadi together with adjacent land comprised in part of survey plot No. 534.	Part of Survey plot No. 534 as shown in the plan given below.	5 Acres and 29 Gunthas	North: Remaining portion of Survey plot No. 534. South: remaining portion of Survey plot No. 534. West: Remaining portion of survey plot No. 534. East: Remaining portion of survey plot No. 534.	Government	..



# SITE PLAN OF ROCK-SHELTER AT BADAMI

200 0 200 400 METRES 1000 0 2000 FEET



[No. F. 4-33/68-C1.]

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**S.O. 69.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

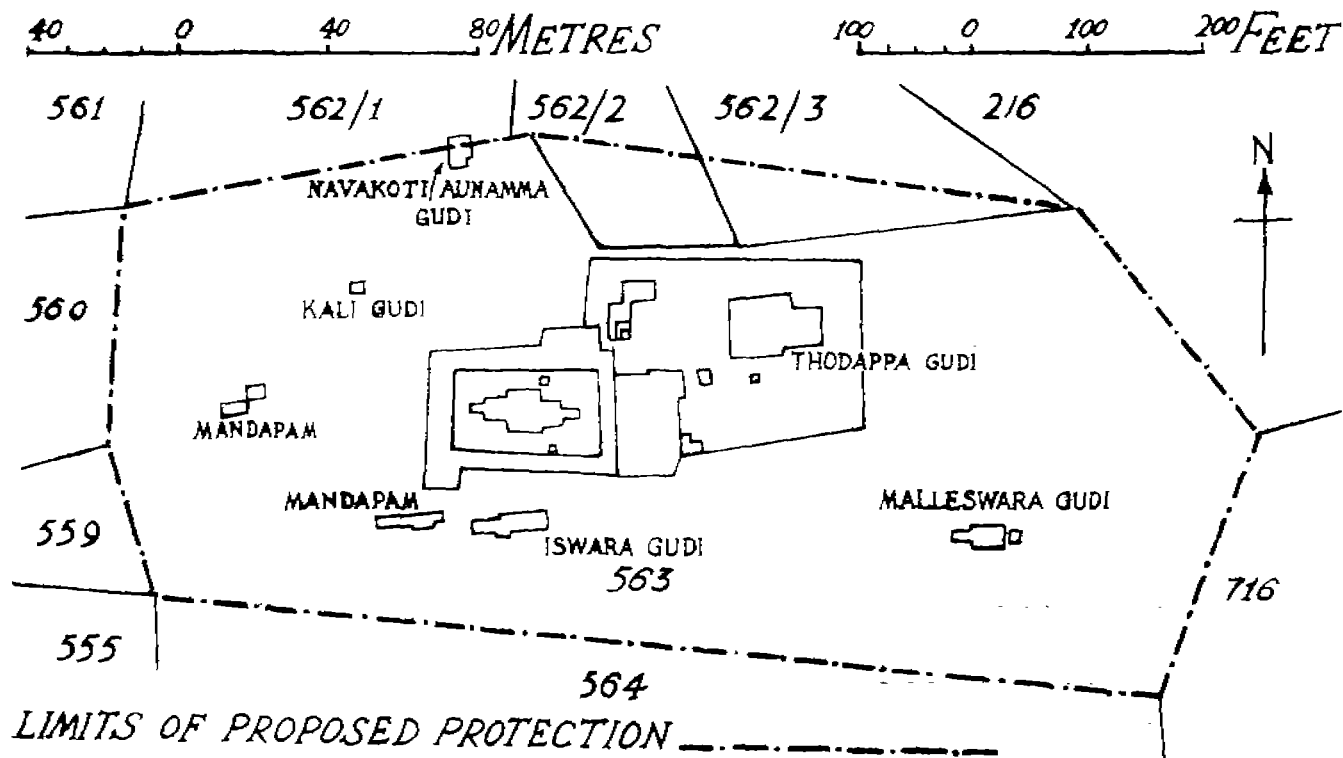
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/ site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
	Andhra Pradesh,	Anantapur	Mada- kasira,	Hemavati	Group of old temples together with adjacent land comprised in survey plot No. 563 and part of survey plot Nos. 562/2 and 562/3.	Whole of Survey plot No. 563 & part of Survey plot Nos. 562/2 and 562/3 as shown in the site plan below.	8.98 acres.	North:—Survey plot No. 562/1 and remaining portions of survey plot Nos. 562/2 and 562/3. East :—Survey plot Nos. 216 and 716. South :—Survey plot No. 564. West :—Survey plot Nos. 569 and 560.	Temple poramboke.	The temples are ownerless but being maintained by the Trustees appointed by the Hindu Religious and Charitable Endowments Board, Andhra Pradesh. The temples are under worship.

# SITE PLAN OF OLD TEMPLES AT HEMAVATI



[No. F. 4-31/63-C1.]

*New Delhi, the 30th December 1963*

**S.O. 70.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

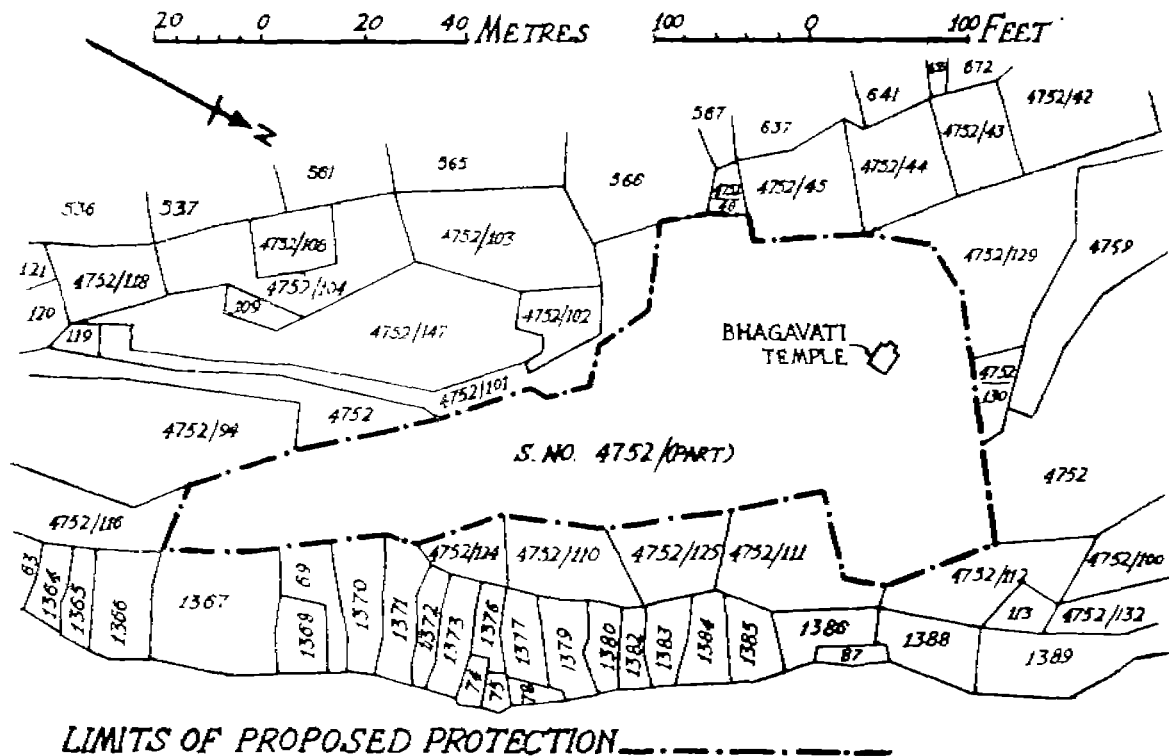
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

## SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
	Madras	Kanyakumari	Vilavancode.	Arumanai village Chitharal Desam.	Bhagavati temple together with adjacent land comprised in part of survey plot No. 4752.	Part of survey plot No. 4752 as shown in the plan reproduced below.	36.60 acres.	<p><i>North</i>:—Survey plot Nos. 4752/130, 4752/112 and remaining portion of survey plot No. 4752.</p> <p><i>East</i>:—Survey plot Nos. 4752/111, 4752/125, 4752/110, 4752/124, 1371, 1370, 1369 &amp; 1367.</p> <p><i>South</i>:—Survey plot Nos. 4752/116, 4752/94, and remaining portion of survey plot No. 4752.</p> <p><i>West</i>:—Survey plot Nos. 4752/101, 4752/46, 4752/45, 4752/44, 4752/129 and survey plot No. 566 of Pacode village.</p>	Govt.	The temple is under worship.

# SITE PLAN OF BHAGAVATI TEMPLE AT ARUMANAI



[No. F. 4-35/63-C1.]

S. J. NARSIAN,  
Assistant Educational Adviser.

# MINISTRY OF LABOUR AND EMPLOYMENT

*New Delhi, the 21st December 1963*

**S.O. 71.**—In exercise of the powers conferred by sub-section (1) of section 9 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), the Central Government has appointed with effect from the 18th December, 1963 (forenoon), Shri Shashikant Sinha as the Coal Mines Welfare Commissioner *vice* Shri S. V. Krishnan.

**S.O. 72.**—In exercise of the powers conferred by section 5 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946) read with sub-clause (i) of clause (a) of sub-rule (1) of rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government has appointed with effect from the 18th December, 1963 (forenoon), Shri Shashikant Sinha, Coal Mines Welfare Commissioner, Dhanbad, as the Welfare Commissioner, Bihar *vice* Shri S. V. Krishnan.

[No. 14/13/63-MII.]

R. C. SAKSENA, Under Secy.

*New Delhi, the 21st December 1963*

**S.O. 73.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Indore, in the industrial dispute between the employers in relation to Messrs. Jaipur Udyog Limited, Sawaimadhopur and their workmen employed in Phalodi Quarries, which was received by the Central Government on the 17th December 1963.

BEFORE SHRI M. A. RAZZAQUE, INDUSTRIAL TRIBUNAL, MADHYA  
PRADESH, INDORE.

REFERENCE No. 4/I.T./1963 (CENTRAL)

BETWEEN

The General Secretary,  
Cement Works Karmachari Sangh,  
Phalodi Quarries,  
Sawaimadhopur (Rajasthan)—Party No. 1.

AND

The Manager,  
M/s. Jaipur Udyog Ltd.,  
Phalodi Quarries,  
Sawaimadhopur (Rajasthan)—Party No. 2.

In the matter of a reference made by the Central Government under Section 10(1)(d) of the Industrial Disputes Act, 1947 *re*: retirement of Smt. Keshar and Shri Moti.

## AWARD

This is a reference made by the Central Government under Section 10(1)(d) read with—Section 7-A of the Industrial Disputes Act, 1947 (14 of 1947) in respect of an industrial dispute existing between the Cement Works Karmachari Sangh, Phalodi Quarries, Sawaimadhopur (Party No. 1) and M/s. Jaipur Udyog Ltd., Sawaimadhopur, Rajasthan (Party No. 2). Whether the Second-party was justified or not in retiring Smt. Kesar, a Coolie and Shri Moti, a Sweeper, working in the Phalodi Quarries is the dispute.

2. After receiving Statement of Claim and Written Statement of the parties, issues were framed and evidence was recorded in part. The case was fixed for recording further evidence when the parties filed a compromise-petition dated 4th December, 1963 stating that the dispute has been amicably settled between the parties and an award be passed in terms thereof.

3. Their statements were recorded. I am of the opinion that the agreement is lawful and the compromise is voluntary.

4. Therefore, in terms of the compromise, as arrived at between the parties, it is ordered as under:—

(a) That Shri Moti and Smt. Keshar will be allowed to resume their duties which they were respectively doing before their retirement by the Company, with effect from 9th December, 1963.



- (b) That Shri Moti and Smt. Keshar will not be entitled to any wages or remuneration for the period of their unemployment and this period will be treated as leave without pay.
- (c) That there will be no break in the continuity of service of Shri Moti and Smt. Keshar due to the aforesaid retirement.
- (d) That Shri Moti and Smt. Keshar will discharge their normal duties faithfully and efficiently.

5. An award is passed accordingly.

Sd./- M. A. RAZZAQUE,  
Industrial Tribunal,  
Madhya Pradesh.

[No. 22/10/63-LRIL.]

**S.O. 74.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Indore, in the industrial dispute between the employers in relation to the Jaipur Udyog Limited (Phalodi Quarries), Sawaimadhopur, Rajasthan and their workmen, which was received by the Central Government on the 17th December 1963.

BEFORE SHRI M. A. RAZZAQUE, INDUSTRIAL TRIBUNAL, MADHYA  
PRADESH, INDORE

REFERENCE No. 2/I.T./1963 ( CENTRAL )

BETWEEN

The General Secretary,  
Cement Works Karmachari Sangh,  
Phalodi Branch,  
Sawaimadhopur (Rajasthan)—Party No. 1.

AND

The Manager,  
M/s. Jaipur Udyog Ltd.,  
Phalodi Quarries,  
Sawaimadhopur (Rajasthan)—Party No. 2.

In the matter of a reference made by the Central Government under Section 10(1)(d) of the Industrial Disputes Act, 1947 re: fixation of Shri N. D. Rahi in the grade of steno-typist.

AWARD

This is a reference made by the Central Government under Section 10(1)(d) read with—Section 7-A of the Industrial Disputes Act, 1947 (14 of 1947) in respect of an industrial dispute existing between the Cement Works Karmachari Sangh, Phalodi Quarries, Sawaimadhopur (Party No. 1) and M/s. Jaipur Udyog Ltd., Sawaimadhopur, Rajasthan (Party No. 2). The dispute relates to the fixation of pay of Shri N. D. Rahi working as Steno-typist in the said Quarries.

2. After receiving Statement of Claim and Written Statement of the parties, issues were framed and evidence was recorded in part. The case was fixed for recording further evidence when the parties filed a compromise-petition dated 4th December, 1963 stating that the dispute has been amicably settled between the parties and an award be passed in terms thereof.

3. Their statements were recorded. I am of the opinion that the agreement is lawful and the compromise is voluntary.

4. Therefore, in terms of the compromise, as arrived at between the parties, it is ordered as under:—

- (a) That Shri N. D. Rahi will be placed in the grade of 90—8—170/EB/10—250 with effect from 1st January 1963 and his basic salary as on

1st January 1963 will be increased from Rs. 111.00 to Rs. 130.00 per month. He will be paid his arrear of difference of salary only from 1st January 1963 to 30th November 1963. He will get his next grade increment of Rs. 8.00 on 1st January 1964.

- (b) That the second party shall pay a lumpsum of Rs. 435/- (Rupees Four Hundred and Thirty-five only) to Shri N. D. Rahi in full and final settlement of his all claims including arrears, etc. in addition to the arrear mentioned in Para (a) above.

5. An award is passed accordingly.

Sd./- M. A. RAZZAQUE,  
Industrial Tribunal,  
Madhya Pradesh.  
[No. 22/1/63-LRII.]

**S.O. 75.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Indore, in the industrial dispute between the employers in relation to Messrs. Jaipur Udyog Limited, Sawaimadhopur and their workmen employed in Phalodi Quarries, which was received by the Central Government on the 17th December 1963.

BEFORE SHRI M. A. RAZZAQUE, INDUSTRIAL TRIBUNAL, MADHYA  
PRADESH, INDORE

REFERENCE No. 5/I.T./1963 (CENTRAL)

BETWEEN

The General Secretary,  
Cement Works Karmachari Sangh,  
Phalodi Quarries,  
Sawaimadhopur (Rajasthan)—Party No. 1.

AND

The Manager,  
M/s. Jaipur Udyog Ltd.,  
Phalodi Quarries,  
Sawaimadhopur (Rajasthan)—Party No. 2.

In the matter of a reference made by the Central Government under Section 10(1)(d) of the Industrial Disputes Act, 1947 re: suspension of certain workers.

#### AWARD

This is a reference made by the Central Government under Section 10(1)(d) read with—Section 7-A of the Industrial Disputes Act, 1947 (14 of 1947) in respect of an industrial dispute existing between the Cement Works Karmachari Sangh, Phalodi Quarries, Sawaimadhopur (Party No. 1) and M/s. Jaipur Udyog Ltd., Sawaimadhopur, Rajasthan (Party No. 2). The dispute relates to the suspension of the two workers i.e. Shri Krishan Gopal Singh, Jeep Driver and Shri H. M. Patel, Dumper Operator working in the said Quarries.

2. After receiving Statement of Claim and Written Statement, issues were framed and the case was fixed for recording evidence. Parties, however, filed a compromise-petition dated 4th December, 1963 stating that the dispute has been amicably settled between them and prayed that an award be passed in terms thereof.

3. Their statements were recorded. I am of the opinion that the agreement is lawful and the compromise is voluntary.

4. Therefore, in terms of the compromise, as arrived at between the parties, it is ordered that the Union on behalf of the workmen shall express regret in writing for the incident which took place on 31st August 1962 at the quarries and the Company shall withdraw the charges levelled against Shri Krishan Gopal Singh

and Shri H. M. Patel in the above matter and pay them wages for the period of their suspension.

5. An award is passed accordingly.

Sd./- M. A. RAZZAQUE,  
Industrial Tribunal,  
Madhya Pradesh.

[No. 22/15/63-LRII.]

New Delhi, the 26th December 1963

**S.O. 76.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act from Sarvashri P. K. Chakraborty and Md. Zafrul Islam, Assistant Underground Foremen, workmen of Indian Copper Corporation Limited, Post Office Ghatsila c/o Mosaboni Mines Labour Union, Post Office Mosaboni Mines, District Singhbhum, which was received by the Central Government on 23rd December, 1963.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

In the matter of a Complaint under Section 33A of the Industrial Disputes Act, 1947 (XIV of 47).

COMPLAINT No. 25 OF 1963

(arising out of Reference No. 8 of 1962)

#### PARTIES:

1. P. K. Chakraborty, Asst. Underground Foreman,
2. Md. Zafrul Islam, Asst. Underground Foreman, c/o Mosaboni Mines Labour Union, P.O. Mosaboni Mines, Singhbhum, Bihar.—Complainants.

vs.

M/s. Indian Copper Corporation Ltd. P.O. Ghatsila, Dt. Singhbhum, Bihar.—Opposite party.

#### PRESENT:

Sri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

#### APPEARANCES:

For the Complainants: Sri R. K. Nair, Mosaboni Mines Labour Union.

For the Opposite party: Sri N. A. B. Hill, General Manager, with Sri K. Ramamoorthi, Labour Officer with Sri J. K. Ghosh, Advocate.

INDUSTRY: Copper.

STATE: Bihar.

Camp: Patna, dated the 17th December, 1963

#### AWARD

This complaint was made by Sri P. K. Chakraborty and Md. Zafrul Islam, Assistant Underground Foremen of Indian Copper Corporation Limited, under Section 33A of the Industrial Disputes Act, 1947, on 29th June 1963, complaining against the termination of their services with effect from 24th January, 1963 in Reference No. 8 of 1962.

2. The case of the complainants was that they were Assistant Underground Foremen since November 1962 and in the letter of their appointment it was clearly mentioned that their appointments were of six months' probation; that the company extended the probation period of the complainants by 3 months and contrary to the company's certified standing orders failed to confirm them in their services; that the services of the complainants had been terminated with effect from 24th June, 1963, without issuing any charge sheet against them and they were not even paid one month's wages as required by the Act.

3. The complaint was taken up for hearing, at the request of the parties, at Patna on 9th December, 1963. Sri R. K. Nair represented the complainants concerned, and Shri J. K. Ghosh, Advocate, with Sri N. A. B. Hill, General Manager and Sri Ramamoorthi, Labour Officer, appeared for the management. No oral

evidence was adduced by any party. Documents filed by parties were however taken in evidence with mutual consent and marked as Exhibits M to M.5 on behalf of the management and Exhibits W to W.5 on behalf of the workmen.

4. Sri J. K. Ghosh, on behalf of the management, took a preliminary objection to the maintainability of the complaint on the ground that as it was not a case of discharge or dismissal for misconduct, Section 33(2)(b) of the Act was not attracted and therefore there had been no contravention of Section 33, which could entitle the complainants to make a complaint under Section 33A of the Act.

5. Sri Ghosh, on merits also, submitted that the original period was extended by three months with mutual consent as the work of the complainants was not found satisfactory and the complainants made no protest that their work was not unsatisfactory and as such it was not open to them now to say that their work was satisfactory and as such under the Standing Orders their services had been rightly terminated.

#### *Preliminary Objection*

6. As regards the preliminary objection regarding the maintainability of the complaint, I find that this objection is well founded and must be given effect to. Section 33A entitles an employee to make a complaint in writing if an employer contravenes the provisions of Section 33 of the Act during the pendency of a proceeding before a Tribunal. There is no dispute that Reference No. 8 of 1962 was pending before this Tribunal when the services of the complainants were terminated. But the crucial question is whether Section 33 has been contravened by the employer. This question must be answered in the negative. Sri Nair contended that, in the instant case, the complainants' case came within the purview of sub-section (2)(b) of Section 33 of the Act, but, in my opinion, Section 33(2)(b) has no application to the case of the complainant at all. Here, the complainants have not been dismissed or discharged for misconduct, as contemplated by Section 33(2)(b) and, therefore, Section 33 has not been contravened.

7. It was conceded by Sri Nair that the other sub-sections of Section 33 did not apply to the present case. For these reasons, it must be held that there had been no contravention of Section 33 during the pendency of Reference No. 8 of 1962 before this Tribunal so as to entitle the complainants to make the present complaint. In this view of the law, it must be held that the complaint is not maintainable and as such it is dismissed on this preliminary ground as not maintainable.

8. In view of my decision accepting the preliminary objection raised on behalf of the management holding that the complaint is not maintainable in law, I do not think it is at all necessary to deal with the merits of the case.

9. For the reasons given above, I, therefore, dismiss the complaint as not maintainable.

10. This is the award which I make and submit to the Central Government under Section 15 of the Act.

CAMP: Patna,

Dated the 17th December, 1963.

Sd/- RAJ KISHORE PRASAD,

Presiding Officer.

Central Govt. Industrial Tribunal, Dhanbad.

[No. 23/64/61-LR.II.]

**S.O. 77.**—Whereas by the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1887 dated the 1st July, 1963, the Central Government, being satisfied that the public interest so required, had declared the coal industry to be a public utility service for the purposes of the Industrial Disputes Act, 1947 (14 of 1947) for a further period of six months from the 8th July, 1963;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 8th January, 1964.

[No. 1/65/63-LRI.]

*New Delhi, the 28th December 1963*

**S.O. 78.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to Messrs. Ballarpur Collieries Company, Nagpur and their workmen, which was received by the Central Government on the 23rd December, 1963.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
BOMBAY**

**REFERENCE No. CGIT-38 of 1962**

Employers in relation to Messrs. Ballarpur Collieries Company, Nagpur.

**AND**

Their Workmen.

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer.

**APPEARANCES:**

*For the Employers:* Shri S. V. Kanade, Personnel Officer and G. M. Gadre, Office Superintendent, Ballarpur Colliery, P.O. Ballarpur.

*For the Workmen:* Shri K. Krishna Rao, General Secretary, Sasti Colliery Workers' Union and Vice-President, Ghughus Khadan Mazdoor Sangh.

Shri V. R. Laode, General Secretary, Colliery Mazdoor Seva Mandal, Ballarpur.

**INDUSTRY:** Coal Mining.

**STATE:** Maharashtra.

*Bombay, dated the 20th December 1963*

**AWARD**

The Central Government by the Ministry of Labour and Employment Order No. 8/41/62-LR.II, dated 23rd October 1962 made in exercise of the powers conferred by clause (d) of sub-section (I) of Section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947), was pleased to refer the industrial dispute between the parties above named, in respect of the subject matters specified in the schedule to the said order, to me for adjudication:—

**SCHEDULE**

"Whether the amount of dearness allowance paid in accordance with the principles laid down in the directions on issue number one in the award dated the 30th December 1959 of the arbitrator colliery disputes, Shri A. Das Gupta to the coal cutters and coal cutting machine mazdoors, by the management of Sasti, Ghughus and Ballarpur Collieries of Ballarpur Collieries Company is correctly calculated. If not, to what relief are the workmen entitled."

2. After the reference was made, the General Secretary of the Sasti Colliery Workers' Union, (Shri K. Krishna Rao) filed the statement of claim dated 1st November 1962, and the Joint Secretary of the Colliery Mazdoor Seva Mandal (Shri R. A. Dhabekar), filed his written statement of claim on 4th December, 1962. The company on 16th November, 1962, filed a preliminary statement raising several legal and technical objections to the maintainability of this reference, to which the Sasti Colliery Workers Union filed its reply dated 8th December, 1962, and, thereafter, the company filed a statement on 13th February, 1963, furnishing certain particulars called for and on 9th March, 1963, it filed a statement on the merits. The General Secretary Colliery Mazdoor Seva Mandal filed another written statement on 5th June, 1963, to which the company filed a reply on 25th June, 1963. The hearing of this dispute concluded on 5th September, 1963.

3. I must, at the outset briefly notice the preliminary legal objections urged by the company. It has, very suprisingly urged that it was not bound by the Das Gupta Arbitration Award, referred to in the order of reference. It has in support referred to the terms of settlement reached in an earlier dispute between this company and its workmen-Reference CGIT-6 of 1961 (Government of India Gazette, dated 10th March, 1963—pp. 637-638) in which the point of adjudication was whether

the coal cutters, coal-cutting machine drivers and coal cutting machine mazdoors are entitled to receive dearness allowance in accordance with the Das Gupta Arbitration Award, dated 30th December, 1959 and if do with effect from which date. In that adjudication in a joint application the employer company stated that though the Das Gupta Arbitration Award was not legally binding on it, it was all the same, paying dearness allowances to its said categories of workmen on the principles laid down by the Das Gupta Award. However, the Union's contention in this dispute is that this company was represented before the Das Gupta Arbitration proceedings by the Indian Mining Association and that like other coal companies, this company had also received an increase in the selling price on its coal to the extent of 6 nP. per ton of coal consequent upon the Das Gupta Arbitration Award. I, therefore, called upon the company to state whether that was so, and the company in its application dated 13th February, 1963, has admitted that it was represented in the Das Gupta, Arbitration proceedings Indian Mining Association of which it was a member and what it had received an increase in the selling price of its coal to the extent of 6 nP. per ton, which the entire coal industry had received as compensation for the incidence of the additional cost as a result of increased wages as granted by the Das Gupta Award. This is, therefore, an admission that the Das Gupta Arbitration Award was binding on the company, and I cannot but express my disappointment and disapproval of the attitude taken up by this company's officers that the Das Gupta Arbitration Award was not legally binding on it. It is this sort of attitude which leads to discontent and distrust and contributes to industrial unrest and in my opinion, should be avoided, in the interest of better employer-employee relations.

4. The company next contended that if it was held that the directions of the Das Gupta Arbitration Award were binding on it as far as they related to dearness allowance, then the reference involves question of interpretation of the Arbitration Award and should have been made under section 36A of the Industrial Dispute Act and therefore, the present reference under Sec. 10(1) of the Industrial Disputes Act, 1947 was not valid and tenable. But this contention like the earlier contention, is equally un-tenable for the simple reason that the Arbitration Award, dated 30th December, 1959, of Shri Das Gupta was not the Award of an Industrial Tribunal under the Industrial Disputes Act, 1947 (Act XIV of 1947) and, therefore, the provisions of Sec. 36(A) of the Act nor any other provisions thereof could at all apply to it. I, therefore, reject both the legal contention urged by the management and held that the reference is legal and valid and I have jurisdiction to entertain the same, and I now proceed to deal with the disputes on its merits.

5. The question that falls for determination in this dispute is whether the amount of dearness allowance paid by the company to its coal cutters and coal cutting machine mazdoors, in the Sasti, Ghughus and Ballarpur Collieries, is correctly calculated on the principles laid down by the Das Gupta Arbitration Award dated 30th December, 1959 and if it is not, to what relief these workmen are entitled. The company at the hearing filed the original pay sheets of these two categories of workmen to show the method which it is following to determine the amount of dearness allowance payable, and inspection of the same was given to the representatives of the Unions.

6. The first important fact to note is that in these collieries the coal is cut by machine and not by hand, and that the coal-cutters are piece-rated and they work in gangs. Now, the method adopted by the company is that the work done by each gang in a week is measured and the total value of the work done is determined on rates fixed and agreed upon for each type of work and this amount is divided by the total attendance of the coal cutters during that week. By this method, the daily basis earnings of the coal-cutter is determined and percentage rate of dearness allowance payable under the Das Gupta Arbitration Award is then worked out.

7. This method can be better understood by an illustration taken from the pay-sheets of coal-cutters in the Sasti Colliery for the week ending 1st December, 1962, which had been called for by Shri Krishna Rao, for the Sasti Colliery Workers' Union.

8. Now, it is admitted that the agreed rate for coal-cutters in machine cut gallery is Rs. 3.54.3 nP. per 150 c. ft. It was determined on measurements that during the week ending 1st December, 1962 the coal cutters cut 10708 c. ft. of machine cut gallery and 2032 c. ft. of "top", for which latter kind of work the agreed rate is Rs. 0.94.1 nP. per 90 c. ft. On these rates the sum of Rs. 252.92.3 nP. for machine-cut-gallery work and Rs. 21.24.5 nP. for the "top" work, in all Rs. 274.16.8 nP. was determined as the total basic wages earned in that week by

the gang, consisting of 23 coal cutters. This total amount of Rs. 274.16.8 nP. was, therefore, divided by the number of attendance put in by the members of the gang in the week ended 1st December, 1962, which was 105, to determine the daily basic wage of each coal cutter. On this basis, the basic pay per day's attendance of each coal cutter was worked out at Rs. 2.71.4 nP. on which dearness allowance is to be calculated and paid on the basis of the directions given in the Das Gupta Arbitration Award. For that purpose what the company has done is to multiply this daily basic wage amount of Rs. 2.71.4 by 26 to determine their monthly basic wage group, which was determined as being in the basic wage group above Rs. 50 and upto Rs. 100 per month. Now, for this basic wage group, the rate of dearness allowance payable is 66-2/3 per cent, of the basic wage with a minimum of Rs. 50 per month. The company's case is that though the coal cutters were thus entitled to dearness allowance at the rate of 66-2/3 per cent, or a minimum of Rs. 50 it had in fact paid them dearness allowance at 100 per cent. of their daily basic wage i.e. Rs. 2.71.4 per day as dearness allowance.

9. It would be convenient at this stage to refer to the directions in the Das Gupta Arbitration Award on the issue of the rates of dearness allowance. The issue No. 1 referred for arbitration to Shri Das Gupta was:—

"All piece-rated workers should get 150 per cent. Dearness Allowance unless otherwise stated."

On this issue in Para 13 of his Award, the learned Arbitration observed as follows:—

"In determining the wage group in which a worker, time rated or piece-rated, will come for the purposes of fixing his dearness allowance, the Labour Appellate Tribunal calculated the normal earnings of the worker for a month of 26 days by multiplying the daily basic rates by 26 (vide Table under paragraph 69 of the decision of the Labour Appellate Tribunal). The wage group of a particular worker having thus been determined, there cannot be any difficulty in fixing the dearness allowance. Thus the monthly dearness allowance divided by 26 gives his daily rate for normal output or for normal shift hours and thus added to his normal basic earnings per day gives normal total wages per day for normal output in the case of piece rated workers and for normal shift hours in the case of time rated workers".

Now, the Table under paragraph 69 of the decision of the Labour Appellate Tribunal referred to above, is as follows:—

Range of basic wages per month	Percentage of basic wages as dearness allowance	Minimum dearness Allowance
Upto Rs. 30	150 per cent.	
above Rs. 30 to Rs. 50	100 per cent.	Rs. 45.
above Rs. 50 to Rs. 100	66-2/3 per cent.	Rs. 50.
above Rs. 100 to Rs. 300	40 per cent.	Rs. 67.

This table has also been reproduced in Para 1 at page 10 of the Das Gupta Arbitration Award.

10. By paras 15 and 16 of his Arbitration Award on issue No. 1 Shri Das Gupta, gave the following directions:

Para 15: "Dearness allowance shall be paid to the piece-rated workers for all outputs at the percentage rates under the awarded scheme which their basic earnings on their respective normal outputs per day multiplied by 26 or in other words, their estimated monthly basic earnings for their normal outputs would attract. If any employers have been paying less, the short payments must be made good within a month from the date on which this Award comes into effect. This Award of mine shall have effect from the date when the Mazumdar Award came into operation.

Para 16: "It has been suggested that some employers are paying the piece-rated workers dearness allowance at 150 per cent of their basic earnings irrespective of the amounts of their basic earnings, specially

to the wagon loaders. If any generous employer is paying a higher rate of dearness allowance, I hope that this will not be stopped. But this can neither justify alteration of the scheme which is the decision of two sets of three judges after prolonged deliberations, nor can I force such generosity on others."

The company's main contention is that the method which it follows is the only practicable and feasible method of calculating the dearness allowance for its piece-rated coal cutters, specially as no work-load has been fixed for machine coal cutters under the existing Awards.

11. On the other hand for the workmen Shri Labde, representing the Colliery Mazdoor Seva Mandal, claimed that for coal cutters in Madhya Pradesh the work load under para 208 of the Labour Appellate Tribunal's decision had been fixed at 33-1/3 c. ft. per shift. But a plain perusal of this paragraph clearly show that this work-load which was fixed by the Mazumdar Award and confirmed by the Labour Appellate Tribunal, was for coal-cutter who "hand-cuts the coal face by pick which is subsequently blasted" and was, "33-1/3 c. ft. of coal in the solid on an average in a shift". It is clear that this work load was not fixed for machine coal cutters, which method of cutting coal is admittedly in force in these collieries. Shri Labde then referred to this company's written statement dated 22nd February 1954 before the Mazumdar Tribunal where it had urged that there was no need to make a change in the rates fixed by the C.P. Fact Finding Committee. Shri Labde has also sought to rely upon the Award dated 3rd April 1950 of the Dhanbad Tribunal in Reference No. 1 of 1950 where it was stated that there was no difference in work load of hand-cut coal and machine cut coal. For these reasons Shri Labde has argued that machine coal cutters come in grade I and would be entitled to dearness allowance at 150 per cent of their basic wages, as shown in the table extracted *supra*. He has also sought to argue that the observations of the Das Gupta Arbitration Award on issue No. 20 at page 94 would also apply to machine coal cutters. But I am not satisfied that there is any substance in these contentions. Surely, when we have the directions contained in the Mazumdar Award and the Labour Appellate Tribunal's decision to go upon when construing the Das Gupta Arbitration directions, what the company had stated in its written statement before the Mazumdar Tribunal would be of little avail. The observations of the Dhanbad Tribunal which were made in an Award given in 1950, many years before the Majumdar Award which was given on 26th May 1956 and the Appellate Tribunal's decision thereon which was made on 29th December 1956, can, for the same reason, also be of no avail. Besides the C.P. Fact Finding Committee fixed the normal work load for the machine coal cutters at 100 c. ft. and for hand coal cutters at only 25 c. ft. (see Table at page 50 of the Majumdar Award). With regard to the Das Gupta Arbitration Award's directions on issue No. 20 they deal with the question of guaranteed minimum wage payable to piece-rated workers and contain no directions with regard to the amount of dearness allowance or the percentage rate of dearness allowance payable to piece-rated workers.

12. Shri Krishna Rao, the Secretary of the Sasti Colliery Workers' Union, differing from Shri Labde, has claimed dearness allowance for machine coal cutters at 138 per cent of the basic wage. He has argued that the company had in fact, during the week ending 1st December 1962, paid its workmen dearness allowance at the rate of 118 per cent. The company has, denied this stating that under the clause where the minimum dearness allowance was fixed at Rs. 45 per group II (basic wage group between Rs. 30 to Rs. 50 per month), if a worker earned basic wage of Rs. 1.53 nP. to Rs. 1.73 nP. per day, his daily basic wage when multiplied by 26 will bring him in the monthly wage group between Rs. 30 and Rs. 50 per month for which the rate of dearness allowance is 100 per cent of the basic wage or the minimum dearness allowance of Rs. 45 per month. As, under the awarded scheme, all these workers would be eligible to the minimum dearness allowance of Rs. 45 p.m. i.e. Rs. 1.73 nP. per day, the result was that a coal cutter who earns a basic wage of between Rs. 1.53 nP. and Rs. 1.73 nP. per day, getting the minimum daily dearness allowance on the basis of the minimum of Rs. 45 per month prescribed by the award, would be receiving a higher percentage increase than 100 per cent, as pointed out by Shri Krishna Rao. The management challenged Shri Krishna Rao to prove from the pay sheets of the company that it had paid its coal cutters dearness allowance on any other basis than stated by it or that the company had paid dearness allowance to any coal cutter at a lower rate than the minimum of Rs. 45 per month prescribed for group II (Basic wage of above Rs. 30 and upto Rs. 50 per month).

13. Shri Krishna Rao was, however, not able to meet this challenge, I must, therefore, accept the company's statement that it has in no case paid its coal



cutters dearness allowance at a lower rate than Rs. 1.73 nP. per day being the minimum of Rs. 45 per month for Grade II, as shown in the table extracted *supra*.

14. Shri Krishna Rao, next sought to rely upon the fact that when the coal cutters of these collieries are asked to do some alternative jobs they are paid category IV wages and that for payment of the guaranteed minimum wage also, the coal cutters are paid 75 per cent of category IV wages. It is admitted that for category IV, the awarded basic wage is Rs. 1.25. Shri Krishna Rao has therefore, claimed that coal cutters were entitled to be paid dearness allowance in the ratio of Rs. 1.25 to Rs. 1.73 i.e. 138 per cent and he has further alleged that all the collieries in this region in Madhya Pradesh are paying dearness allowance to their machine coal cutters at that rate. But his only source of information for this statement was that he had been told so by the Conciliation Officer. But the company has denied this and has stated that this company was the only company which was using the machine coal cutting method in this region and that all the other collieries of this region were using the hand-cut coal method. The management representatives also denied Shri Krishna Rao's further allegation that the Indian Mining Association had directed this company to pay its machine coal cutters dearness allowance at the rate of 150 per cent of their basic wage.

15. I am not impressed by these submissions of Shri Krishna Rao as he has failed to support them by any cogent or satisfactory evidence. The fact remains that for piece-rated workmen even for hand coal cutters—no particular category has been assigned under the Majumdar Award or the Labour Appellate Tribunal's decision, nor has any work-load been prescribed for them. Shri Labde has referred to paragraph 524 of the Majumdar Award relating to Madhya Pradesh and to the Appendix 'D' to the Das Gupta Award, under which the percentage of dearness allowance remains the same for each unit of production in spite of an increase in the number of units produced. In other words, under Appendix 'D' to the Das Gupta Arbitration Award, the percentage rate of dearness allowance does not go down with higher total units of production during the wage period. Shri Labde has argued that the unit of production for piece-rated coal cutters should be worked out on the work load per footage of 33-1/3 c. ft. prescribed by the C.P. Fact Finding Committee and accepted by the Majumdar Award in para 621 and confirmed by para 206 of the Labour Appellate Tribunal's decision. But it must be noted that this work-load was fixed for piece-rated hand-coal cutters in Madhya Pradesh for which category V was fixed, and the directions do not apply to the machine coal-cutters. Shri Labde was then driven to argue that this rate should apply to machine coal cutters also, because they have to do dressing and remove bottom, top and side coal by hand-cut, and that there was a company's circular to indicate this. But the management has drawn attention to the fact that the C.P. Fact Finding Committee had fixed for machine coal cutters the normal work load of 100 c. ft. and of 25 c. ft. in case of hand-coal cutters.

16. To recapitulate, the contentions of the two unions are on different basis. Shri Krishna Rao for the Sasti Colliery Workers' Union has asked for dearness allowance for coal cutters at 138 per cent of their basic wage because he claims that coal cutters belong to category IV and they should therefore get a basic wage of Rs. 1.25 and dearness allowance thereon at 138 per cent. His claim is not based on the plea that there is a fixed workload for machine coal cutters. On the other hand Shri Labde, the General Secretary of the Colliery Mazdoor Seva Mandal has argued that under para 621 of the Majumdar Award as confirmed by the decision of the Labour Appellate Tribunal, the workload of a piece-rated coal cutter is fixed at 33-1/3 per cent c. ft. per shift and this therefore attracts the percentage rate of dearness allowance for the first group which is 150 per cent of the basic pay as in the table extracted *supra*. Shri Labde has in support stated that pick mining is unknown in M.P. and therefore the miner there is known as coal cutter and not pick miner; that there is no system of payment on tub basis but the payment is on measurement basis. He has relied upon the written statement of the company before the Majumdar Tribunal where it is stated that the C.P. Fact Finding Committee had not made any differentiation for machine cutting and therefore when the Majumdar Tribunal in para 621 of its award and the Labour Appellate Tribunal in para 206 of its decision fixed 33-1/3 per cent c. ft. as the work load per shift for coal cutters, it must be deemed not to have made any difference between hand coal cutting and machine coal cutting in respect of the workload per shift. According to Shri Labde on the total production of 12,740 c. ft. (10,708 c. ft. machine cutting gallery plus 2,032 c. ft. for "top") during the week ending 1st December 1962, the wages on the basis of a workload of 33-1/3 per cent c. ft. would for 26 days work out to 22/10 nP. per month for which they would be entitled to a dearness allowance at the rate of 150 per cent i.e. Rs. 33.15 nP. According to him the coal cutter would thus be entitled to

Rs. 22.10 nP. basic wage plus Rs. 33.15 nP. as D.A. i.e. in all Rs. 55.26 nP. per month on production of every unit of 33-1/3 c. ft. per shift of machine cut coal.

17. In my opinion the management is right when it refutes this contention of Shri Labde by pointing out that para 621 of the Majumdar Award does not apply to coal cutters cutting with machines. The fallacy lies in assuming that the work load of 33-1/3 c. ft. had been fixed for machine coal cutters. Para 621 gives category V to the coal cutters cutting by hand who would be entitled to dearness allowance of Rs. 1.73 nP. per day which works out at the rate of 132 per cent on a basic pay of Rs. 1-5-0 (Rs. 1.31 nP.) per day, as shown in Appendix 'D' to the Das Gupta Award. But it has to be remembered that on the basic wage of Rs. 1-5-0 (Rs. 1.31 nP.) his monthly wage (Rs. 1.31×26=Rs. 34.06) would be between Rs. 30 and Rs. 50 i.e. in Group II for which the dearness allowance is 100 per cent of the basic pay or a minimum of Rs. 45, which is the rate at which the company is paying. Shri Labde in my opinion overlooks the fact that para 621 of the Majumdar Award and Para 206 of the L.A.T.'s decision do not at all refer to machine coal cutters and that nowhere has their work load been fixed by these Awards. Therefore for the purposes of determining the wage group in which the machine coal cutter will come for the purpose of fixing his dearness allowance his normal earnings will have to be worked out as stated in para 13 of the Das Gupta Arbitration Award and this is what the company has done. It is, therefore, difficult to agree with Shri Labde's contention that under the Majumdar Award and the Labour Appellate Tribunal's decision the work load for machine coal cutting has also been fixed at 33-1/3 c. ft. per shift as for hand coal cutters, and they are entitled to D.A. at 150 per cent of their basic wage. In fact, the table at page 50 of the Majumdar Award shows that C.P. Fact Finding Committee had fixed 100 c. ft. as the workload for machine coal cutters. What the Das Gupta Award meant by para 15, on which both parties have relied, is illustrated in Appendix (D) to its award. Fairly stated, the union's argument is that on the basis of schedule D of the Das Gupta Award the Rs. 1.31 basic wage group, because it is short of Rs. 1.73 (the minimum dearness allowance on the basis of Rs. 45 per month), they should get dearness allowance at 132 per cent as shown in schedule D of the Das Gupta Award, which applies for all outputs. But here the difficulty is that if the normal wage of the coal cutter or coal cutting machine mazdoor were Rs. 1.31 nP. per day then they would assuredly be entitled to dearness allowance at the rate of 150 per cent of their basic wages. But as has been shown by the company in its statement exhibit E-1 and Exhibit E-2 the average earnings of the machine coal cutters and coal cutting machine mazdoors never falls below Rs. 1.73 nP. per day. In the absence of any uniform workload having been fixed for the machine coal cutters the only method which could reasonably be adopted is to determine their normal earnings and to work out the dearness allowance on that basis and this is the method which the company has adopted.

18. The unions have pointed out that for the purposes of payment of the guaranteed minimum wage the company treats these workmen as belonging to category IV i.e. with basic wage of Rs. 1.25 nP. per day and the unions have stated that the company had in the past paid them guaranteed minimum wages as of category IV. The management has pointed out that there have been very few occasions when they have paid the guaranteed minimum wage to their coal cutters and their coal cutting machine mazdoors. The company has also stated that until 1962 it was paying the guaranteed minimum wage on an incorrect basis but after that they have been paying the guaranteed minimum wage on the basis of category VII which fact is admitted by the unions. The company in paras 15, 16 and 17 of its written statement dated 9th March 1963, has explained the reasons why it was led into paying the guaranteed minimum wage on a wrong basis. The management has also pointed out the difficulty of fixing any uniform workload for these coal cutters as they work in gangs of different sizes—some work at the gallery—some on top—some on the side and the difficulty is how to fix a uniform workload for workers working in gangs and doing such different kinds of work. The company has, therefore, urged that the only reasonable method of determining their normal wages is to adopt the method which it has adopted.

19. After an anxious consideration of this rather complicated issue I am satisfied that in the absence of a workload having been fixed for the machine coal cutters and the coal cutting machine mazdoors, the management of Sasti, Ghugus and Ballarpur Collieries of the Ballarpur Collieries Co. Ltd., is correctly calculating the dearness allowance payable to its machine coal cutters as per the principles laid down in the direction on issue No. 1 in the Das Gupta Arbitration award dated the 30th December 1959.

20. With regard to the coal cutting machine mazdoors the same submissions were made by the parties as for the machine coal cutters. They are also placed and they also work in gangs.

21. For the coal cutting machine mazdoors, Shri Krishna Rao, has claimed dearness allowance at 138 per cent of their basic earnings and Shri Labde has claimed dearness allowance for them at 150 per cent of their basic earnings. Both have urged the same arguments in support of their claim as for machine coal cutters. I am not satisfied that the claim for the coal cutting machine mazdoors as made by the unions is justified and my answer to the issue with regard to coal cutting machine mazdoors is the same as in respect of the coal cutters.

22. In the result the claim of the workmen fails.

23. No order as to costs.

SALIM M. MERCHANT,

Presiding Officer,

Central Government Industrial Tribunal, Bombay,

[No. 8/41/62-LR.II.]

#### ORDERS

New Delhi, the 21st December 1963

**S.O. 79.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jealgora Colliery of Messrs. East Indian Coal Company Limited, Post Office Jealgora (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the dismissal of Shri Ramsajiwan, Machine Loader of Jealgora Colliery with effect from the 17th August, 1963 was justified; if not to what relief is he entitled?

[No. 2/68/63-LR.II.]

**S.O. 80.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Datla West Colliery and Barkuhi Power House (Amalgamated Coal Fields Limited) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the management of the Datla West Colliery and Barkuhi Power House (Amalgamated Coal Fields Limited), were justified in stopping the privilege of casual leave in respect of Sarvashri Yashwant Rao Dokle and G. C. Bhattacharya, Clerks?
2. If not, to what relief are the workmen entitled?

[No. 5/37/63-LR.II.]

*New Delhi, the 24th December 1963*

**S.O. 81.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamuria 7/8 Pits Colliery of Messrs Equitable Coal Company Limited, Post Office Dishergarh, Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the management of the Jamuria 7/8 Pits Colliery of Messrs Equitable Coal Company Limited were justified in indefinitely laying off the Coal Cutting Machine Drivers and Machine Mazdoors—

1. Sri Jagdish—Machine Mazdur.
2. Sri Bhola—Machine Mazdur.
3. Sri Jyani—Machine Mazdur.
4. Sri Budhu—Machine Mazdur.
5. Sri Ramsinghasan—Machine Mazdur.
6. Sri Hiralal—Machine Mazdur.
7. Sri Matafar—Machine Mazdur.
8. Sri Nankoo—Machine Driver.
9. Sri Babul—Machine Driver.

and offering them alternate jobs at 5/8 Pits Colliery?

2. If not, to what relief are the workmen entitled?

[No. 1/22/63-LRII.]

**S.O. 82.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Tata's Sijua Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the action of the management in removing the name of Shri Nageshwar Singh, Munshi, from the permanent rolls and entering the same in the badli list was lawful and justified?

2. If not, to what relief is the workman entitled?

[No. 2/77/63-LRII.]

*New Delhi, the 27th December 1963*

**S.O. 83.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bagdigi Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Jharia, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the action of the management of Bagdigi Colliery in dismissing the workman Shri Chaturbhuj Tiwari with effect from the 27th June 1963, was justified?
2. If not, to what relief is the workman entitled?

[No. 2/48/63-LR.II.]

*New Delhi, the 30th December 1963*

**S.O. 84.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kotma Colliery of Messrs. Associated Cement Companies Limited, Kotma and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the members of the time office staff listed in Annexure A were required to work all the seven days in the week from January, 1956 to the 20th August, 1960; and if so, whether they are entitled to get any extra wages for this period?
2. Whether the office peons listed in Annexure B were required to work all the seven days in the week during the period from 26th May, 1956 to the 20th August, 1960; and if so, whether they are entitled to get any extra wages for this period?
3. Whether the Watchmen listed in Annexure C were required to work all the seven days in the week during the period from 26th May, 1956 to the 20th August, 1960; and if so, whether they are entitled to get any extra wages for this period?
4. Whether Shri Pathak, Clerk and Shri Bisaswar Prasad, issuer of the Magazine Department, were required to work all the seven days in the week during the period from 26th May, 1956 to the 20th August, 1960; and if so, whether they are entitled to get any extra wages for this period?

#### ANNEXURE A

	Clerk	Time Office.
Shri C. R. Dasgupta		
Shri R. N. Bose	"	"
Shri S. N. Chakraborty	"	"
Shri D. K. Rai	"	"
Shri B. K. Mishra	"	"
Shri T. N. Mitra	"	"
Shri Bholaram Gupta	"	"
Shri A. B. Singh (Sr.)	"	"
Shri L. R. Dasgupta	"	"
Shri Than Singh	"	"
Shri R. K. Som	"	"
Shri Khare	"	"
Shri Gaffur	Issuer	"

## ANNEXURE B

Shri Jaibhan Singh	Peon	Time Office.
Shri Jagatnarain Singh	"	"
Shri M. K. Verghese	"	"
Shri Tok Singh	"	"
Shri Dalpratap Singh	"	"
Shri V. Kuttan	"	Main Office
Shri Indrapal Singh	"	"
Shri Jainath Singh	"	"

## ANNEXURE C

Shri Hyat Singh	Token No. 434	Watchman.
Shri Ayodhyapd	435	"
Shri Bhagwandas	436	"
Shri Budhsenpd	437	"
Shri Jhabar Singh	438	"
Shri Lalman Pandey	439	"
Shri Mangal Singh	440	"
Shri Nain Singh	441	"
Shri Pardeshi	442	"
Shri Parasnath	443	"
Shri Ram Singh	444	"
Shri Rameswar Singh	445	"
Shri Ramrasile Sharma	446	"
Shri Rambiswas Pandey	447	"
Shri Surajpal Singh	448	"
Shri Shewpd	449	"
Shri Shanker Singh	450	"
Shri Samerjeet Singh	451	"
Shri Surajdeen	452	"
Shri Taj Mohd	453	"
Shri Tekchand	454	"

[No. 8/159/63-LRII.]

A. L. HANDA, Under Secy.

New Delhi, the 21st December 1963

S.O. 85.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the Central Bank of India Limited and their workmen which was received by the Central Government on the 17th December, 1963.

14, 95

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BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT LUCKNOW

PRESENT:

Sri J.K. Tandon, Presiding Officer.

REFERENCE No. 5 OF 1963 (CENTRAL)

In the matter of an industrial dispute between the management of Central Bank of India Ltd., Bombay.

Vs.

Their Workmen.

APPEARANCES:

*For the employers*—Sri G. Singh, Chief Agent of the Central Bank of India, Jaipur Group.

*For the workmen*—Sri H. R. Sahu, General Secretary of Central Bank Staff Association, Ajmer.

INDUSTRY: Bank.

DISTRICT: Ajmer (Rajasthan).

Dated December 11, 1963

AWARD

Sri B. S. Rawat, the workman involved, is a Cash Darwan in the Ajmer Branch of Central Bank of India Ltd. He is claiming that he fulfils the description of a hundi presenter, as envisaged in para 5.320 of what is properly known as Desai Award, consequently he is entitled to a special allowance of Rs. 10 per month. Para 5.301 of the same award provides in the case of Cash Darwans a special allowance of Rs. 5 per month only. The bank who do not admit that the workmen really satisfied the conditions required by para 5.320 of the award are not prepared to give any higher special allowance than Rs. 5 per month. The following matter of dispute has, therefore, been referred for adjudication by the Central Government under Section 10 of the Industrial Disputes Act, 1947, Act 14 of 1947.

MATTER OF DISPUTE

"Whether Shri B. S. Rawat, Cash Darwan, Central Bank of India Limited, Ajmer Branch, by virtue of the duties performed by him is entitled for a grant of special allowance of Rs. 10 per month as per para 5.320 of the Desai Award and if so, with effect from what date?"

2. The Bank had opposed the claim of the workman on the ground also that the instant reference by the Central Government was incompetent and barred also on the principle of resjudicata. This plea was given up ultimately. The relative issue need not, therefore, be considered. As the test for the entitlement of the increased allowance of Rs. 10 per month would depend on the nature of duties which the workman is asked to perform, the following issue arises for determination:—

Issue No. 3:—

"What are the duties performed by the workman concerned and to what relief is he entitled?"

FINDING

Issue No. 3:—

3. Sri Rawat admittedly belongs to the subordinate staff and is designated as a Cash Darwan. According to the description of the duties, as given by Sri Rawat himself, he has been doing the work of collecting cheques, postal orders including receiving their amount from local branches and post offices. This work, as further stated by him, is done to this day. But as far as the work of presentation of hundies was concerned, he indeed was doing it upto 29th July, 1961. After 29th July, 1961, the Bank discontinued the system of sending hundies for presentation to the constituents at their place of business. Instead they introduced the system of sending intimation of the hundies. This fact is not disputed by the workman also.

4. Another fact which is material and is borne out by the workman's own written statement is that Sri Rawat though he was entrusted with the task of presenting hundies and later the presentation of intimations, he was not collecting money against these documents. Since July, 1961 even the presenting of hundies to the parties has ceased and what Rawat actually does now is that he presents the intimations only.

5. It is contended that this fact has not altered the essential feature of the work done by him, as the intimations have in actual practice the same effect as the presentation of the hundies itself. In the absence of sufficient material as to the nature of the intimations or the procedure which the drawee has to go through in the two cases, I do not feel justified in expressing any final opinion on the value of the above contentions by the workman, but it does not appear necessary either to do so for disposing of the controversy here. Para 5.320 of the Desai award on which the workmen are founding their claim has directed that those members of the subordinate staff who are generally employed to present hundies, bills or documents and are also authorised to collect money even if to a limited extent only shall be entitled to the special allowance of Rs. 10 per month. It envisages the fulfilment of two conditions before the workmen can be entitled to the allowance. These are firstly, that he is deputed to present hundies or bills and, secondly, has authority to collect money upon them. Both conditions have to be fulfilled i.e., collection of money against those documents is equally necessary.

6. The learned representative for the workman, however, contended that the paragraph i.e., 5.320 in describing "Hundies, bill/or documents" meant to include not merely the case of hundies and bills alone, but of cheques as well and therefore any workman who presented cheques and also collected their amount equally fulfilled the condition. To put the contention differently the description "Hundies, bill/or documents" was in his view illustrative only but not exhaustive. According to him the word "document" would include a cheque also. The second contention has been that the condition regarding collection of money is not to be construed in the restricted sphere of the money payable on hundies or bills alone being collected. If a workman is authorised to collect money, as Sri Rawat admittedly was, on cheques or against postal orders, he fulfilled the condition.

7. I have carefully considered the two contentions, but to my mind, they cannot succeed. Paragraph 5.301 of the Desai Award has provided an allowance of Rs. 5 per month to Cash Darwans. In an earlier paragraph 5.296 the award has referred to duties pointed out in the case of Cash Darwans. That description has included the collection of cheques and payments within prescribed limits amongst the duties of Cash Darwans. Paragraph 5.320 which is a different provision than paragraphs 5.301 and 5.296 deals with the case of hundi presenters and bill collectors. The Cash Darwans who are authorised to collect cheques and payments have no direct connection with paragraph 5.320. As a matter of fact, a reading of paragraph 5.319 where the case of hundi presenters and bill collectors has been discussed very definitely proved that paragraph 5.320 where the Tribunal concluded the discussion on the particular point then before it and also laid down its conclusion was confined to the case of Hundi Presenters and Bill Collectors. The expression "Hundies, bills/or documents" cannot therefore, be said to be illustrative; on the contrary, it is restricted to those documents only.

8. It was also contended that a cheque was included in the expression, Bill, therefore, in the expression document also I am afraid, this too will not be correct. In banking word a "Bill" is different than a cheque and though sometime a cheque may be dealt with as a bill, it cannot be so termed.

9. There is no strength in the argument also that the reference to the fact of collection of money in paragraph 5.320 is independent and is without reference to hundies and bills whose case was discussed in this and the preceding para. A perusal of paragraph 5.319 fully convinced that in attaching the condition re-collection of money in paragraph 5.320 the Tribunal intended to relate it to Hundies and Bills. As is very evident from the discussion in para 5.319 the intention in para 5.320 was and apparently is that a hundi presenter or bill collector should not be doing the work of presentation alone of those documents but should further be authorised to collect money on them.

10. It was also contended that paragraph 5.326 in any case entitled the workman to the increased allowance of Rs. 10 per month. This para says that when an employee falls within more than one category, he will be entitled to receive a special allowance at the higher rate applicable to him. The reasoning put-forward is that Sri Rawat's case is covered both by para 5.301 read with para 5.296 and



para 5.320, therefore he should be paid the higher allowance. This reasoning is apparently based on the wrong assumption, namely, that Rawat's case is covered by paragraph 5.320 also, which is not true. Paragraph 5.326 is, therefore, not attracted.

11. From the above discussion, it was clear that Sri Rawat has failed to establish that he was entitled to special allowance at the rate of Rs. 10. His claim, therefore, deserved to be rejected. I award accordingly. No order is made for costs.

(Sd.) J. K. TANDON,

Presiding Officer,  
Industrial Tribunal (Central),  
Lucknow.

The 11th December 1963.

[No. 51(44)/63-LRIV.]

New Delhi, the 21st December 1963

**S.O. 86.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the National Insurance Company Limited, Calcutta and their workmen which was received by the Central Government on the 17th December 1963.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 5 OF 1963

#### PARTIES:

Employers in relation to National Insurance Company Limited, Calcutta.

AND

Their workmen.

#### PRESENT:

Shri L. P. Dave—Presiding Officer.

#### APPEARANCES:

On behalf of employers—Shri R. S. Agarwal, Secretary.

On behalf of workmen—Shri P. P. Ravindranathan, General Secretary.

STATE: West Bengal.

INDUSTRY: Insurance.

#### AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 70(3)/63-LRIV, dated 19th June 1963, have referred the industrial dispute existing between the employers in relation to the National Insurance Company Limited, Calcutta, and their workmen in respect of the question whether the management are justified in asking their employees to wear badges and, if not, to what relief the employees are entitled for adjudication to this Tribunal.

2. In response to notices issued by the Tribunal, the parties submitted their written statements. The workmen represented by the General Insurance Employees' Association (hereafter referred to as the 'Union') contended *inter alia* that there were some disputes between the employers and the Union on several matters and because of this and with a view to demoralise and discredit the workmen vis-a-vis the Union, the Company asked the workmen including the middle-class clerical staff to wear badges with the mark "J. K. Organisation"; that the company may be associated with the J.K. organisation in the same manner as it is with Bharat Chamber of Commerce, International Chamber of Commerce etc.; that the company never felt any necessity of any badge for all these years; that there are many agency houses in Calcutta but none of the employees of the companies under them wear any badges; that even the employees of the Hindusthan Commercial Bank Ltd. which is also a member of J. K. organisation were never asked to wear any such badges; that there is no uniformity in the wages or amenities in the different companies under the so called J. K. organisation; that the workmen of the company became agitated when the company indicated their intention of insisting upon the staff wearing these badges; that this was illegal, unjustified and *malafide*; that the Tribunal should, therefore, hold that the management are not justified in asking the employees to wear badges and to prohibit the company from insisting on the use of these badges.

3. By their written statement, the company contended *inter alia* that it is a member of J. K. organisation; that several thefts had taken place in its office and it was thought fit to have a check on outsiders going to the office and it was decided to use a badge so as to distinguish the employees from outsiders; that it had adopted the badge of the J. K. organisation as this badge was being used by employees of other companies which are also members of the said organisation and further that the Company adopted the badge in order to bring uniformity amongst the member units of the said organisation. The Company further contended that badges would serve the purpose of identity tokens; that not only the clerks and bearers were asked to use badges but even Officers and Directors were asked to do so; that the objection of the employees to the badges is unreasonable and unjustified; that according to the company's information, there are several establishments in Calcutta where the employees are wearing badges of the organisation to which they belong; that the other allegations of the union are not relevant; that the company therefore urge that the Tribunal should order that the instructions of the company to its employees to wear badges is a reasonable and valid order.

4. The dispute in the present case refers to wearing of badges by the members of the staff of the National Insurance Company Limited. At the outset, I may mention that this dispute relates mainly to the clerical staff, or at any rate, to members of the staff other than the subordinate staff. I am told that the subordinate staff have already been wearing uniforms on which badges have been engraved and there is no dispute in this case about them. The dispute is regarding the wearing of badges by the clerical staff or staff other than the sub-staff and when I hereafter refer to the staff, that word should be understood in that restricted sense.

5. It appears that the National Insurance Company Ltd. is a member of an association known as J.K. Organisation which is an organisation registered under the Trade Union Act. Several other companies are members of the said organisation. The company's case is that the central body of the J.K. organisation framed certain rules regarding the use of badges by all categories of staff of the different units and establishments of the J.K. organisation and under those rules the system of wearing badges was to be introduced in this company.

6. Before proceeding further, I may mention that at the hearing before me it was contended that though the company had intended to introduce badges, it had not actually done so and hence the present reference is premature. In this connection, Shri Agrawal who is the Secretary of the Company stated in his deposition that they did not inform the staff of the company about these rules nor had they brought the rules in force so far. I am unable to accept this statement as correct.

7. It may be noted at the outset that no such contention was raised by the company at any time before Shri Agrawal gave his deposition. It was not contended, either before the Conciliation Officer or even in the written statement filed before this Tribunal, that the reference was premature because the badge rules were not actually introduced. On the contrary, we find statements made at different times and at different places going to show that the rules must have been introduced in the company.

8. A copy of the badge rules framed by the J.K. organisation was produced before me. These rules were meant for all categories of staff of the different units and establishments of the J.K. organisation. Rule 2 thereof says that the rules shall come in force with immediate effect and shall apply to all the member units of the J.K. organisation. The rules bear the date 19th December 1960. This means that the rules came into force in December 1960.

9. It may be that there might have been some delay in implementing the rules by the different members of the J.K. organisation; but it could not be said that rules had not come into force or that there was only an intention to bring them in force. In this connection, we have the admission of Shri Agrawal that the company had purchased badges for the purpose of giving them to the members of the staff of the company. This would show that the company must have told its staff to wear badges.

10. Shri Agrawal said that the purchase of badges by the company showed only an intention but not a final introduction. The written statement of the company in this case however belies this statement. In para 3 of that statement the company has stated at two places that it had adopted the badge of J.K. orga-

nisation. In para 5, it has been stated, "the company states that not only clerks and bearers were asked to use badges but even officers and Directors". In para 7(10) it has been stated, "It (company) craves reference to paras 1 to 6 above wherein it has been explained as to how the Company asked the employees to wear badges". In the final para of the written statement it has been stated, "In the circumstances the Company prays that the learned Tribunal may be pleased to order that the instruction of the Company to its employees to wear badges is a reasonable and valid order....". It may be mentioned that when Shri Agrawal was asked about the above statements in the written statement, he said that he could not say whether they were correct or not. In other words, he was not prepared to deny the correctness of those statements.

11. I may also here refer to the fact that at the time of conciliation proceedings, the representative of the management stated before the Conciliation Officer that "there is a provision in the model standing orders that identification tokens or tickets can be introduced and as such the management can ask the employees to wear badges. The only difference was that the employees are being asked to wear the badges instead of keeping these in the pocket". This also shows that there was not a mere intention but that the company had already asked the employees to wear badges.

12. Shri Agrawal drew my attention to a letter written by the Union on 15th March 1963 to the Conciliation Officer stating that "there are strong rumours in the office circle that the management of the National Insurance Co. Ltd., is introducing badges to be worn by its employees" and it was argued that this means that the wearing of badges had not actually been introduced. I do not agree with this contention also. The Union's letter refers to strong rumours. It is true that all rumours may not be true but all rumours are not necessary false. In this case, from the circumstances mentioned above, it does appear that the rumours were true. It was then argued that there was no written order about introduction of badges; all orders need not be in writing; and merely because there was no written order, it could not be said that the rules had not been actually introduced.

13. My attention was drawn to the fact that the company had contended both before the Conciliation Officer as well as in para 1 of the written statement before this Tribunal that the subject matter is not an industrial dispute and it was argued that this meant that they had urged that the reference is premature. I do not agree with this. To say that a particular question is not an industrial dispute is something different from saying that the question is premature. What was intended to be contended by saying that the subject matter is not an industrial dispute or the issue before the Tribunal is not an industrial dispute was that the dispute is not one coming within the definition of an industrial dispute, because wearing of badges cannot be said to be a matter on which there can be industrial dispute. I do not agree that it meant that the reference is premature.

14. Regarding the contention that the subject matter is not an industrial dispute, it was not seriously pressed before me. According to the definition of industrial disputes as given in Section 2(k) of the Industrial Disputes Act, an industrial dispute means, among other things, any dispute or difference between employers and workmen, which is connected with the terms of employment of any person. The question whether under the terms of employment a person can be asked to wear a badge would therefore come in this definition and it cannot therefore be said that the reference is not maintainable in law.

15. On the whole, I do not believe Shri Agrawal's statement that the company only intended to introduce the Badge rules, that it had not actually done so. I am satisfied that the Company had brought the rules in force and asked members of the staff to wear badges. The reference is not premature.

16. Coming to the merits of the case, it is an admitted fact that at no time in the past were the members of the staff asked to wear badges, but they are now being asked to do so. In this connection, Shri Agrawal admitted that the introduction of badges would not improve efficiency. He however urged that wearing of badges was necessary firstly, for identity and secondly, for uniformity and only for these two purposes.

17. So far as identity is concerned, it was said to be necessary to distinguish members of the staff from outsiders. Shri Agrawal said that sometimes a member of the public sits on the chair of a clerk and it is difficult to distinguish whether he is a clerk or not. Admittedly, when members of the public have work with the Company, they go there and have to sit with clerks. Normally no one sits on a clerk's chair, unless there is paucity of chairs, or a clerk offers his chair to some

one. A chair bears no special marks and any one may sit on any chair. Even after introduction of badges, a person may sit on a clerks chair.

18. It was then urged that identity badges would help security, in that wearing of badges would enable a darwan to check persons going out from the office with papers etc. In this connection, an allegation has also been made in the written statement of company that several thefts had taken place in the office and it was thought fit to have a check on the outsiders coming to the office and it was decided to use badge for the employees so as to distinguish them from the outsiders. If this was really so, I do not see any reason why the badge was not introduced earlier and was said to be introduced only recently (after J. K. organisation decided that all employees of their member concerns should use badges) and that too the badge of the J. K. Organisation and not of the company. Then, as admitted by Shri Agrawal himself, members of staff of other companies belonging to the J.K. organisation would be bearing the same badge and there will be nothing to distinguish them from the members of the staff of the company and there can be no proper check on people going to and from office. Further, if a person has any work in the company and comes to the office and is at that time carrying certain things with him, those things would naturally be with him when he leaves. It would not be practicable to search a person of this type as there would be nothing to show whether he had anything with him when he came to the office.

19. But the strongest fact which shows that the alleged reason of identity and security is imaginary can be seen from the fact that the company has no darwan or watchman for the last six years. It was said that in the earlier period there was a watchman of the building in which the office was situated. As there are several offices in the building, he could not have been of any special use for this company. Further, for the last two years, there is not even a darwan of the building; that is, there is no Darwan at all. In the circumstances, I think that the reason for insisting on wearing of badges for security purpose appears to me to be imaginary and not real. If the company feels that something is necessary to protect its property, wearing of badges would not serve its purpose; but it might introduce some other system. For instance, it can introduce a system as is prevalent in Banks where the public have no access beyond the counters. If the company introduce counters, thefts could be avoided. It would solve security problem. It would also solve the question of identity and the question of members of public sitting on clerk's chairs. In my opinion, wearing badges is not at all necessary either for identity or security.

20. It was then alleged that wearing of badges would have uniformity. I would not like to express an opinion as to whether it would be desirable to have uniformity of this type or not, but I think that on this ground the company cannot insist on the staff wearing badges. It is true that it has been said that the company has only requested the staff to wear badges, but when a request of this type is made and is not carried out, it would naturally lead to disputes between the management and the workmen. Again, the word 'request' when coming from an employer is only a polite word for order or ask. At any rate, the workmen would have ground of reasonable apprehension that if they did not carry out the request, they would incur the displeasure of the management and that action may be taken against them.

21. The Union has alleged in its written statement that in no other commercial establishment the employees are asked to wear badges. In reply to this, the company stated in its written statement that according to their information there are several establishments in Calcutta where the employees are wearing badges of the organisation to which they belong. When questioned on this point, Shri Agrawal could give only three instances. He said that the staff of the Indian Air Lines Corporation and the Railway staff have to wear badges and he also said that members of the Rotary Club have to wear badges. Now, regarding staff of the Indian Air Lines Corporation and the Railways, he said that he did not know whether they get uniform from the employers and he also admitted that he did not make any enquiries in the matter. He then said that he did not know whether clerks other than those who sit at the counter and thereby come in contact with the public were required to use badges or not. Thereby he suggested that clerks who come in contact with the public were required to use badges and that in the present case the clerks had to come in contact with the public and would therefore be required to use badges. He had however to admit that he could speak only about the staff of the booking department of the Indian Air Lines Corporation because they were the only person whom he had occasion to see. He further admitted that he did not know whether the clerks of the claims department of the Indian Air Lines Corporation come in contact with the public or not nor did he know whether they were required to wear uniforms or badges or not. So far

as Railway clerks are concerned, he admitted that booking clerks and also goods clerks do come in contact with the public and still they were not supplied with uniforms and badges and were not required to put them on. The instances of the Indian Air Lines Corporation and of the Railways thus do not support his case.

22. Regarding members of the Rotary Club, it is not the case of "staff". Further, wearing of badges may be considered necessary there firstly so that non-members may not attend a meeting and secondly members may be able to know each other. Such an instance can be hardly taken as a precedent for introducing badges in a commercial establishment.

23. Wearing of badges in these days might offend against the sentiments of an individual and unless absolutely necessary it may not be desirable to force them to wear badges. If for the sake of smartness or uniformity, an employer wants his staff to have badges, I think that he should also supply them with uniforms and badges and ask them to put on both uniforms and badges. Wearing of badges by itself will not serve any useful purpose of any kind.

24. I also do not agree with the contention of the employers contained in para 3 of their written statement that it would create a feeling of oneness among the employees as well as a sense of belonging to a particular organisation especially when the terms and conditions of service in the different units of that organisation are not the same. I also do not understand why in spite of J. K. organisation having framed badge rules which are said to have come in effect in 1960, several of their units have even now not introduced those rules in their concerns. This also would go to show that the wearing is not considered necessary or essential by them and in any case therefore I think that wearing of badges should not be made compulsory.

25. The Union also objected to the use of the badge of J. K. organisation as against a badge of the company itself. I need not go into this question in this reference because I think that as the matter stands, the company has not made out any case for wearing badges.

26. In the result, I hold that the management of the company are not justified in asking their employees to wear badges and they should not enforce wearing of badges by their staff; they should not also take any disciplinary action against a member of the staff merely for the non-wearing of the badges. Parties shall bear their own costs.

I pass my award accordingly.

The 11th December, 1963.

L. P. DAVE,

Presiding Officer.

[No. 70(3)/63-LRIV.]

### ORDER

New Delhi, the 21st December 1963

**S.O. 87.**—Whereas an industrial dispute exists between the employers in relation to Messrs. P. T. Anklesaria and Company, Bombay and their workmen represented by the Transport and Dock Workers' Union, Bombay;

And whereas, the said employers and the said workmen have, under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947) referred the dispute to arbitration by an Arbitration Agreement and have forwarded to the Central Government under sub-section (3) of the said section a copy of the said Arbitration Agreement;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said Arbitration Agreement which was received by it on the 17th December, 1963.

## AGREEMENT

(Under section 10-A of the Industrial Disputes Act, 1947)

## BETWEEN

M/s. P. T. Anklesaria &amp; Co.—Representing Employers.

## AND

Transport &amp; Dock Workers' Union, Bombay—Representing workmen.

It is hereby agreed between the parties to refer the following Industrial Dispute to the arbitration of Shri Salim M. Merchant, City Ice Building, 298, Bazargate Street, Fort, Bombay-1.

## 1. The terms of reference will be as follows:—

To arbitrate and give Award on the demands forwarded to the employer by the Union on behalf of the Dock-Staff vide schedule attached as per Union's letter No. TD/26/471/63, dated 28th February, 1963. (Copy enclosed).

## 2. Name of the Employer: M/s. P. T. Anklesaria &amp; Co., Ismail Building, D.N. Road, Bombay-1.

## 3. Transport &amp; Dock Workers' Union: P. D'Mello Bhavan, P. D'Mello Road, Hind Floor, Carnac Bunder, Bombay-1.

## 4. Number of workmen employed: 59.

## 5. Number of workmen concerning the dispute: 59.

We further agree that the decision of the arbitrator shall be binding on us.

Witnesses:

Signature of the Parties:

(1) Sd./- Illegible.

(1) P. T. ANKLESARIA,

(2) Sd./- Illegible,

Partner,

For P. T. Anklesaria &amp; Co.,

Secretary,

(2) Sd./-Illegible.

Representing employers.

Representing workmen.

The undersigned agreed to act as arbitrator in the above dispute.

I accept subject to the permission of the Government.

(Sd.) SALIM M. MERCHANT,

22-11-1963,

Arbitrator.

## DOCK-STAFF OF P. T. ANKLESARIA &amp; CO.,

No.	Name	Designation	Date of Appointment	Present Pay	Working at
1.	Shri M.A. Adhingle	G. Supervisor	1-4-62	Rs. 294	Office & Shed
2.	„ B. K. Daiye	„	1-4-62	294	„
3.	„ G. B. Parab	Sr. Clerk	8-5-62	294	Office
4.	„ D. H. Kapadia	Stcs. Clerk	2-6-62	184	„
5.	„ H. D. Vasirani	DCR & D.S. Clerk	16-11-62	250	„
6.	„ A. B. Talati	Clerk WBG/CCB	18-4-62	168	„
7.	„ R. S. Moona	Stcs. Typist (Part-time)	1-8-62	100	„

No.	Name	Designation	Date of Appointment	Present Pay	Working at
8.	Shri J. F. Hansotia	Wagon Incharge	1-4-62	Rs. 184	Office
9.	M. B. Naik	Assistant	16-6-62	142	"
10.	C. K. S. Mani	Steno	26-10-62	175	"
11.	B. S. Gaude	Booking Clerk & Form-18.	1-4-62	168	"
12.	A. A. Acharya	Clerk (Gen. & Work)	15-12-62	140	"
13.	S. N. Mishra	Asstt. to No. 5 (H.D. Vasirani)	5-11-62	130	"
14.	K. K. Balani	Despatch Clerk	1-1-63	120	"
15.	Tahelram S. H.	Custom Work	18-4-62	184	Out door. For CDD & Cash Office.
16.	P. N. Kurup	Clerk for detention to trucks.	1-5-62	131	Out door. Detention in godown, II shift.
17.	Moolchand H.K.	Gunny Section	23-4-62	142	Out door.
18.	Shri K. D. Amare	"	16-6-62	142	"
19.	V. S. Patekar	Weighbridge Clerk	1-6-62	121	"
20.	L. B. Lakkhan	Documents Clerk	1-7-62	157/50	"
21.	Tirethdas	Scale Clerk	14-5-62	147	"
22.	Choithram	"	16-6-62	131	"
23.	Sampat J. T.	Clerk for detention to trucks.	1-11-62	175	" (pay shift)
24.	Hotchand H. K.	Scale Clerk	28-4-62	126	"
25.	B. S. Parab	Godown clerks for Form-18 & Truck Movts.	16-4-62	147	"
26.	F. M. Antoo	"	1-9-62	126	"
27.	D. S. Bhalekar	"	"	126	"
28.	K. B. Prabhoo	Clerk at WBG	5-1-62	178/50	"
29.	M. J. Merchant	Clerk at CCB	13-2-63	130	"
30.	L. G. Parikh	Supervisor	5-5-62	210	Shed
31.	D. V. Dabade	"	1-4-62	168	"
32.	P. P. Mayekar	"	14-4-62	147	"
33.	Mangal V. S.	"	16-6-62	157/50	"
34.	Chellaram	"	25-5-62	210	"
35.	Govind J.	"	1-7-62	157/50	"
36.	S. K. Ajgaonker	"	18-4-62	152	"
37.	N. L. Thakkar	"	16-4-62	147	"
38.	H. A. Shah	"	18-4-62	152	"
39.	L. P. Shirsekar	"	1-5-62	152	"
40.	G. C. Somaiya	"	1-7-62	147	"
41.	Tulsi V. S.	"	21-4-62	168	"
42.	Vinod Shah	"	14-4-62	147	"
43.	Premji Saiya	"	14-4-62	147	"
44.	Bishambardas	"	28-6-62	189	"
45.	S. D. Bhanushali	Wagon loader & Helper	16-4-62	126	"
46.	R. L. Makhija	"	14-4-62	126	"
47.	C. Arvind	"	18-4-62	120	"
48.	Jamnashankar	"	17-4-62	126	"
49.	N. S. Shette	"	16-4-62	120	"
50.	Tulsi N. G.	"	"	120	"
51.	L. V. Thakkar	"	"	126	"
52.	V. M. Shah	"	14-4-62	126	"
53.	Harnarayan Shetty	"	1-7-62	120	"
54.	R. G. Mahajan	C. Chits Clerks	14-4-62	120	"
55.	V. A. Adhingle	"	16-4-62	131	"
56.	Vyankatrao	Transport Mukadam	1-8-62	262/50	"
57.	G. Alwaris	Messenger	1-6-62	105	"
58.	Surjoo	Messenger & Peon	1-6-62	95	Out door
59.	P. B. Pawar	"	18-6-62	85	Office

## TRANSPORT &amp; DOCK WORKERS' UNION, BOMBAY

P. D'Mello Bhavan, 2nd Floor,  
P. D'Mello Road (Frere Road),  
Carnac Bunder, BOMBAY-1.  
Date: 28th February, 1963.

No. TD/26/471/63.

To

M/s. P. T. Anklesaria & Co.,  
Ismail Building,  
Flora Fountain,  
Bombay-1.

Dear Sir,

SUBJECT: Dock staff—demands of ....

I have been advised to submit the following demands and grievances of your dock supervisory, clerical and other staff with a request that you will be kind enough to give your sympathetic consideration and concede the same. In case required, please note, we are prepared to discuss the same with you with a view to arrive at an amicable settlement.

*Demands*

(1) *Permanency of service*: All employees who have completed three months of service should be considered permanent and should be paid monthly salary.

(2) *Classification & Categorization*: All employees should be classified and redesignated in accordance with their work as per details of categories in demand No. 3.

(3) *Pay scale and wages*: All permanent and temporary employees should be paid the following pay scales and wages in accordance with the nature of their work:—

<i>Daily Wage</i>	<i>Designation*</i>	<i>Monthly pay scale</i>
—	(a) Dock Supervisors & Office Superintendent:	Rs. 320—20—400—30—460.
Rs. 7.50	(b) Shed Supervisor, Assistant Office Superintendent, Railway Supervisor, Scale Supervisor, Movement Supervisor:	Rs. 180—10—200—15—320.
Rs. 6.25	(c) Assistant Shed Supervisor, Assistant Railway Supervisor, Office Senior Clerk, Wagon Loading Supervisor:	Rs. 130—10—190.
Rs. 5.83	(d) Dock Clerk and Office Clerk:	Rs. 90—7—132—8—156— 9—165—10—175.
—	(e) Messenger & Peon:	Rs. 90—5—125.

(4) *Fixation*: All permanent employees be fixed in their respective scale taking into consideration their past experience and the salary drawn, provided that no one gets less than three increments in their respective scale.



(5) *Dearness Allowance*: All employees should be paid dearness allowance at the following scale which is as per the Government of India scale adopted by the Bombay Stevedores' Association Ltd.

<i>Basic Salary</i>	<i>Monthly D.A.</i>
Rs. 1 to Rs. 100	Rs. 50
Rs. 101 to Rs. 150	Rs. 55
Rs. 151 to Rs. 200	Rs. 60
Rs. 201 to Rs. 250	Rs. 65
Rs. 251 to Rs. 300	Rs. 70
Rs. 301 to Rs. 350	Rs. 75
Rs. 351 to Rs. 400	Rs. 80
Rs. 401 to Rs. 450	Rs. 85
Rs. 451 to Rs. 500	Rs. 90
Rs. 501 to Rs. 550	Rs. 95
Rs. 551 to Rs. 600	Rs. 100

(6) *Acting Allowance*: In case an employee in a category is required to perform the duties of another category with higher scale of pay, he should be paid the difference between the salary drawn by him and the lowest salary in the scale fixed for the category in which he is required to work, as acting allowance.

(7) *Overtime*: All employees should be given equal opportunities of overtime work. Work performed beyond normal duty hours and on B.P.T. dock holidays and Sunday the weekly day of rest, should be paid at double the rate of wages.

(8) *Weekly Off*: All staff should be given off with pay on Sunday as weekly day of rest.

(9) *Holidays*: All staff should be given holidays with pay on all holidays declared by the Bombay Port Trust as dock holidays.

(10) *Promotions*: The company should not recruit any new person in the higher grade. All employees in the lower grade should be given promotion in the higher grade on the basis of seniority of service.

(11) *Provident Fund*: All employees should be given the benefit of Provident Fund and the employees and Company should equally contribute to the Provident Fund at the rate of  $8\frac{1}{3}$  per cent of the salary.

(12) *Gratuity*: All employees should be given the benefit of gratuity at the rate of 15 days salary per year of service.

(13) *Bonus*: All employees should be paid bonus equal to three months' salary/wages per year for the years 1961-62 and 1962-63.

(14) *Leave*: All employers should be sanctioned leave on the following basis:—

(a) *Privilege leave*: One month per year of service. Accumulative upto 90 days.

(b) *Sick leave*: 12 days per year of service. Accumulative upto 60 days.

(c) *Casual leave*: 12 days per year.

(15) *Holidays pay to temporary staff*: All temporary staff be paid holiday wages of 15th August, 1962 and 26th January, 1963.

(16) *Fixed pay day*: All monthly paid employees should be paid their wages on 2nd and overtime on 15th of a month.

Please note we are prepared to discuss the demands with you with a view to arrive at an amicable settlement.

Awaiting your early reply and thanking you.

Yours faithfully,

Sd./- KHAN, K. A.,

Secretary.

[No. 28/106/63/LRIV.]

P. TALWAR, Under Secy.

*New Delhi, the 24th December 1963*

**S.O. 88.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri A. Somasundaram to be an Inspector for the whole of the Union territory of Pondicherry for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 40(153)/63-PF.I.]

**S.O. 89.**—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri A. Somasundaram, Regional Provident Fund Commissioner, Madras as Regional Provident Fund Commissioner for the whole of the Union territory of Pondicherry.

[No. 40(153)/63-PF.I.]

**S.O. 90.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri T. S. Lakshminarayanan, to be an Inspector for the whole of the Union territory of Pondicherry for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 40(153)/63-PF.I.]

*New Delhi, the 27th December 1963*

**S.O. 91.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri Om Prakash Verma to be an Inspector for the whole of the State of Punjab and the Union territory of Himachal Pradesh for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to or under the control of the Central Government, or in relation to an establishment connected with a railway company, a mine or an oil-field or a controlled industry.

[No. 20(33)/63-PF.I.]

**S.O. 92.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri V. N. Dambal to be an Inspector for the whole of the State of Mysore for the purposes of the said Act or of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government, or in relation to an establishment connected with a railway company, a mine or an oil-field or a controlled industry.

[No. 20(61)/63-PF.I.]

SHAH AZIZ AHMAD, Dy. Secy.

*New Delhi, the 26th December 1963*

**S.O. 93.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the Vysya Bank Limited and their workmen which was received by the Central Government on the 21st December, 1963.

BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH,  
HYDERABAD.

PRESENT: Dr. Mir Siadat Ali Khan, M.A., LL.B., Fazel (Osm), B.C.L. (Oxon), D. Phill (Oxon), Bar-at-Law, Lincolns' Inn (London), Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE NO. 34 OF 1963

BETWEEN:

Workmen of Vysya Bank Limited, Branch Office, Hyderabad  
versus

Employers of Vysya Bank Limited, Bangalore.

**APPEARANCES:**

Sri A. Sundera Rao, General Secretary, Andhra Pradesh Bank Employees' Federation, *for workman*, and,

Sri K. Srinivasamurthy, Advocate, *for employers*.

**AWARD**

The industrial dispute between the employers of Vysya Bank Limited, Bangalore, over the transfer of Sri M. Manikyam, and their workmen was referred for adjudication by Government of India, Ministry of Labour & Employment's letter No. 51(57)/63-LRIV dated 8th October, 1963. The issue framed was: "Whether the transfer of Shri M. Manikyam, an employee of the Hyderabad Branch of the Vysya Bank Ltd., Bangalore, from that branch to Hindupur Branch was justified? If not, to what relief is Shri Manikyam entitled?"

2. The dispute was entered into the 1963 register of industrial disputes at No. 34. The claims statement and the counter were received by the end of November 1963 and today the case was posted for hearing. I am happy to note that Sri A. Sundera Rao, General Secretary of Andhra Pradesh Bank Employees' Federation, Hyderabad, has filed a petition stating that as the dispute is likely to be settled amicably between the parties he prays that the claim of the workmen may be deemed to have been withdrawn. I am satisfied that the petition is filed by Sri A. Sundera Rao, as he and his signature have been identified before me by Sri K. Srinivasamurthy, the learned advocate. In the circumstances, I allow the petition while dismissing the claim as withdrawn.

Report accordingly to the Government this 16th day of December, 1963, under my hand and seal of this Court.

M. S. ALI KHAN,  
Industrial Tribunal,

[No. 51(57)/63-LRIV.]

**S.O. 94.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen which was received by the Central Government on the 21st December, 1963.

**BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT LUCKNOW**

**Present:** Sri J. K. Tandon, Presiding Officer.

**Adj. Case No. 3 (Central) of 1963.**

**In the matter of an industrial dispute between the concern known as M/s. The Punjab National Bank Ltd., Parliament Street, New Delhi.**

**Vs.**

**Their Workmen.**

**APPEARANCES:**

*For the employers.*—Shri Mohendra Kumar Jain, Authorised Representative of the above Bank.

*For the workmen.*—Shri S. K. Jain, Secretary, U.P. Bank Employees Union, Mathura affiliated with All India Bank Employees Association.

**Industry:** Banking.

**District:** Mathura.

**Dated Lucknow, December 10, 1963.**

**AWARD**

**Reference No. 3 (Central) of 1963 referred by the Central Government vide their Order No. 51(28)/63-LRIV, dated 30th April, 1963.**

Shri Ram Singh, on whose behalf the subject matter of dispute in the instant reference has been taken up, was appointed as Waterboy-cum-Cleaner with effect from 1st March, 1959, in the Mathura Branch of the Punjab National Bank Ltd. His appointment was termed as part-time and his duty-hours were appointed from 8-00 A.M. to 9-00 A.M. and again from 11-00 A.M. to 3-00 P.M. on week-days other than Saturdays and from 8-00 A.M. to 9-00 A.M. and from 11-00 A.M. to 2-00 P.M.

on Saturdays. The duties entrusted to him were the cleaning and dusting of the floors in the Bank and to serve drinking water to the staff and visiting public. While appointing him as part-time worker his wages also including the Dear Food Allowance were fixed. Presently he is getting—a fact not disputed—Rs. 40 per month as basic wage and Rs. 12.50 nP. as Dear Food Allowance.

2. Ram Singh points out that though his working-hours have been as above, he has in actual practice to work upto 5-30 P.M. and attend Bank between 6-30 and 7-00 A.M. In this manner he pleads that the duty-hours put in him exceed those put in by other permanent members of the subordinate staff, consequently he is entitled to be declared a whole-time permanent employee. He has supported his claim on the ground also that the amount of work which he is asked to put in fully justifies the appointment of a whole-time employee.

3. It appears that Ram Singh placed his demand for employment as a permanent hand on a number of occasions but the management negated it. The same was taken up on his behalf by the U.P. Bank Employees Union also but without any success. In due course the controversy was taken to the conciliation authorities as well and ultimately to the Central Government which made the instant reference under Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947). The matter of dispute has been stated thus:—

“Whether Shri Ram Singh, Waterboy-cum-cleaner in the Mathura Branch of the Punjab National Bank, is required to work beyond the working hours and, if so, to what relief is he entitled?”

4. The Bank has not admitted that the employee concerned has worked beyond the duty-hours prescribed for him. It is also challenged that the dispute, which has been sent to the Tribunal, is an industrial dispute as, according to it, it has never been espoused properly and by substantial number of workmen employed in the Bank. Further it is pleaded that he is being paid emoluments equal to  $\frac{1}{4}$  of the basic wage and Dearness Allowance which is ample having regard to the nature and quantity of work put in by him. Further the Bank contends that the claim is barred on the principle of *res judicata* in view of the directions contained in what is popularly known as Desai Award.

5. The pleadings of the parties gave rise to the following supplementary issues:—

- (1) Has the case of Sri Ram Singh been duly espoused by the U.P. Bank Employees' Union, Mathura? If so, does the dispute ripen into an industrial dispute?
- (2) If the finding on Issue No. 1 is in the negative, is the Reference incompetent and liable to be rejected?
- (3) Whether the present dispute is barred on the principle of *res judicata* in view of Desai Award?
- (4) Is Sri Ram Singh required by the Bank to put in duty beyond the hours notified in his case by the Bank? If so, to what extent and in what manner?
- (5) Can Sri Ram Singh claim, despite his appointment as a part-time worker, the status of a permanent whole-time employee in view of the duties and the duration within which he has been performing?
- (6) Can Sri Ram Singh claim the benefit of Provident Fund or the facilities of annual increment in view of the finding on Issue Nos. 4 and 5?
- (7) To what relief, if any, is the Opposite Party entitled?

#### Findings

#### Issue Nos. 1 and 2

6. There is no dispute about Ram Singh being a workman. The controversy, however, is that since the particular demand by him is by a single workman for himself only it cannot claim the status of an industrial dispute unless it has been taken up by a substantial number of workmen employed in the Bank. The legal position as far as the said point is concerned is fully settled. An individual dispute, by which is meant dispute involving one workman, can acquire the status of an industrial dispute if the same has either been espoused by a substantial number of workmen employed in the undertaking or by the Union of the workmen in the undertaking. In the instant case there is no dearth of evidence to show that these conditions fully exist. Exs. E-2 and E-3, which have been produced by the Bank itself, show that between 24 to 26 employees of the Mathura Branch represented to the District Manager on two occasions for conceding to

Ram Singh his demand. There are in all 35 employees in the Branch at Mathura; the number of 26, which is nearly 70 per cent of the total, is undoubtedly substantial.

7. The evidence before the Tribunal further is that the U.P. Bank Employees Union, which is affiliated to the All India Bank Employees Association, has one of its branches at Mathura. The Membership Register of the Union for Mathura Branch has been filed. According to it in 1961-62 there were 23 members from out of the employees of Punjab National Bank Ltd., Mathura Branch and in 1962-63 their number increased to 25. Besides this Register the workmen have produced the counter-foils of the membership subscription receipts which too support that these employees of the Punjab National Bank Ltd. including Ram Singh have been paying subscription also. The Union has produced its proceedings-books also. The proceedings dated 16th December, 1961, Ex. W-1, showed that the Executive Committee of the Union unanimously adopted a resolution on the above date to pursue and press the claim of Ram Singh now before the Tribunal. Out of the eight members of the Executive who were present at the above meeting four belonged to the staff of the Punjab National Bank, Mathura Branch. The By-laws of the Union provided in Clause (1) under the heading "Functions of Office-bearers" that the Executive Committee shall function on behalf of the General Body and its decision shall be binding on the members.

8. It was evident from the above facts that the U.P. Bank Employees Union could rightly claim to be the Union of the workmen of the undertaking and further that Ram Singh's cause was duly espoused by the workmen of the particular Branch. It made no real difference that the resolution espousing the cause of Ram Singh was not adopted in a meeting of the General Body in which all the member-employees of the Punjab National Bank were not present. The By-laws of the Union authorise the Executive Committee to undertake that duty. Also the meeting in which the Committee adopted the resolution included four members from the staff of the Punjab National Bank, Mathura Branch.

9. Taking all the circumstances together I think it is established that the cause of the workman concerned was duly espoused. The relative objection by the Bank is overruled.

#### *Issue No. 3*

10. The relative plea by the Bank is evidently based on an incorrect appreciation of the relevant facts. Admittedly there has been no judicial pronouncement by any authority so far on the particular claim now before the Tribunal. What, on the other hand, has been pointed out by the management is that the Desai award in Para. 5.191 considered the case of part-time employees and ultimately recorded the direction:—

"That a minimum of one-third of the appropriate rate of pay and dearness allowance should be given to part-time employees if such part-time employees worked for not less than 7 hours per week, this being the minimum prescribed for them."

Reliance is placed on Clause (5) of Para. 10.46 of the same award wherein part-time employees as well as members of Watch & Ward Staff were excluded from the application of certain directions contained in that Para. As would appear both these paragraphs contain general directions, indeed Para. 5.191 has stopped by merely prescribing a minimum to be paid to part-time employees if they put in work for not less than seven hours per week. The question as to what emoluments will actually be payable to a part-time employee in the background of the total weekly hours of work put in by him or to what other facilities he would be entitled to, has not been attempted in it. Under the circumstances it is not possible to accept that the enquiry in the present case, which is entirely different in scope and ambit, is barred in view of the above paragraph. The controversy here is very different and has not been the subject of decision by the Desai Award. The relative plea is rejected.

#### *Issues 4, 5 and 6*

11. The respective allegations by the two parties were noticed earlier and need not be repeated. The relief asked by the workmen includes the prayer that Ram Singh should be declared a full-time permanent employee of the Bank, that he should be paid wages at the full rate admissible to a whole-time subordinate employee, that he should be allowed annual increments also as they fell on and after 1st April, 1959, and that he should be awarded the benefit of Provident Fund as well as the amount of bonus allowed to the workmen during the last few years.

12. Some of the admitted facts are that Ram Singh commenced his service as a part-time employee. His duty hours as officially fixed have been from 8-00 A.M. to 9-00 A.M. and again from 11-00 A.M. to 3-00 P.M. on Mondays to Fridays and from 8-00 A.M. to 9-00 A.M. and again from 11-00 A.M. to 2-00 P.M. on Saturdays. This roster has not undergone any change during the whole period of his service but it is suggested on behalf of the workmen that in actual practice Ram Singh used to attend Office early at 7-00 A.M. and remain there upto 9 or 9-30 A.M. and again from 11-00 A.M. to 5-00 P.M. In this manner they want to urge that his duty hours in no way less than those required from permanent employees; hence there was no justification for withholding from him the status of a permanent employee.

13. The workmen too do not point out that the working hours were at any time officially altered but in their view that fact was of no real significance inasmuch as the amount of work which Ram Singh had to put in was so enormous that it was not reasonably possible to finish it within the duty-hours appointed by the Bank. Evidence has been led to the effect that he had to clean floors and several rooms including a spacious hall. He had also to dust the furniture and fill up the water vessels every morning which work could not be completed in the short interval of one hour allowed to him from 8-00 A.M. to 9-00 A.M. To support this, the suggestion is further contained in the testimony of Ram Singh and his other witnesses that the former attended the office at 7-00 A.M. and continued upto 9-00 A.M. or so. While it may not be possible to rule out the suggestion that he attended office earlier than 8-00 A.M. on some days at least, it does not seem justified that the work of sweeping the floor and of dusting furniture could not be finished during the course of one hour. For a diligent worker it should not be difficult to finish this work in one hour or so.

14. The next thing pointed out by the workmen was that though the banking hours so far as the visiting public was concerned were upto 2-00 P.M. only on week-days other than Saturdays the staff as a rule continued to work till 5 or 5-30 P.M., consequently Ram Singh was expected to serve drinking water to the staff and the working public and had to stay even after 3-00 P.M. Instantly the workmen have tendered evidence also that the other banks at Mathura have been employing a whole-time Water Boy thereby wanting to show that their demand for Ram Singh's whole-time employment was both reasonable and justified. Evidence is also led to the effect that Ram Singh, though a Water Boy-cum-Cleaner, used to be deputed frequently to do other jobs also such as posting of the Dak in the Post-Office and carrying of Ledgers and other books and papers from table to table. In other words, the suggestion is that his services have been utilized as that of a regular peon.

15. On behalf of the Bank the effort has been to disown that Ram Singh was asked to work beyond his duty hours though it has not been able to deny that at least sometimes he worked beyond 3-00 P.M. The Bank produced the Attendance Registers also for different years in order to support from the entries in them by Ram Singh himself that he was on duty upto 3-00 P.M., except on rare occasions when he stayed longer and for which he was paid overtime wages. The entries in the Attendance Register as they exist do, no doubt, mention that he was on duty upto 3-00 P.M. only, but too much value cannot be attached to them. Firstly, Ram Singh has stated, and I am unable to reject outright his statement on the point, that he entered the hours in the Register according to the roster fixed for him as he had been directed to do so even though he was present in the Bank beyond 3-00 P.M. Ram Singh was a part-time employee and was eager to get into permanent service. At the same time, he had no other job to attend to after 3-00 P.M. Again, the rest of the staff in the Bank continued to work upto 5-30 P.M. and need for drinking water between 3-00 P.M. and 5-00 P.M. by the staff cannot be ruled out. There are thus sufficient grounds for thinking that Ram Singh had both cause and direction to continue to work beyond 3-00 P.M. Dak is usually sent to the Post-Office for being posted etc. between 3 and 4 P.M. This is borne out by the evidence of Sri R. K. Kakkar, the then Manager of Mathura Branch. The Despatch Register, which too has been placed before the Tribunal, showed that Ram Singh was entrusted with the duty to take the Dak to the Post-Office on a good few occasions. His continued presence in the Bank after 3-00 P.M. when his duty hours otherwise were over is supported by the above circumstance.

Considerable weight has been attached by the Bank to the two representations, Exs. E-2 and E-3 which the Bank staff forwarded to the Manager of the Central Office. In these papers the representationists mentioned that Ram Singh's duty hours ended at 9-00 A.M. in the forenoon and at 3-00 P.M. in the afternoon on other than Saturdays and at 2-00 P.M. on Saturdays. The argument has been

that if Ram Singh been working beyond 3-00 P.M. that fact was bound to be mentioned in them. One cannot overlook that the above representations had the support of the staff and of the Local Manager, who actually recommended Ram Singh's case for favourable consideration. In that background there is no wonder that the fact of his actual working after 3-00 P.M. was not considered practicable or a right thing to enter.

16. Considering everything including the facts and circumstances discussed above, I am inclined to believe that though according to the duty roster Ram Singh's duty ended at 3-00 P.M., he likely stayed beyond that hour also.

17. The question may immediately arise for how long after 3-00 P.M. he stayed and further can any such stay by him be attributed to any direction or order given to him by the Bank. On the first point there is not sufficient material for coming to a reasonably correct findings. All that one can say is that he stayed and possibly worked also even after 3-00 P.M. though it cannot be said that he remained on duty upto the usual hours enforced in the case of other subordinate and permanent staff. Sri R. K. Kakkar, Manager of the Mathura Branch, has stated that the duty hours were upto 3-00 P.M. which were never altered. In view of it, it may again be not possible to hold that his prolonged stay was because his duty hours had been extended. Ram Singh's statement that he stayed longer on account of the Manager's asking him to do so is not of much significance as it is equally consistent with the proposal then before these persons to have the post of Water Boy-cum-Cleaner upgraded into a permanent whole-time post. I am unable to hold, therefore, that his duty hours were upto 5-00 P.M. On some of the days Ram Singh was paid overtime also which covered the period between 3-00 P.M. and 5-00 P.M. as well. This fact too went against his contention that his duty hours were upto 5-00 P.M.

18. Taking the various facts and circumstances into consideration I am not satisfied that the present is a case in which the workman, namely, Ram Singh, should or could be accorded the status of a permanent whole-time employee. But there nevertheless are sufficient grounds for holding that in actual working he had been attending to work beyond 3-00 P.M. though it might not be possible to say to what extent. He is being paid presently half the wage including dearness allowance payable to a whole-time employee. Keeping the hours of work laid down in his roster and those which in actual practice he should be following, I consider the emoluments presently given to him to be on the lower side. I would, therefore, increase them to two-thirds of the basic wage and dearness allowance payable to a member of the subordinate staff. This increase will take effect from the date of the enforcement of the Award of the National Industrial Tribunal (Bank Disputes) presided over by Sri Justice Kantilal T. Desai.

19. Since the prayer for declaring Ram Singh a permanent employee has been rejected, the facility of Provident Fund cannot be extended to him, but he will be paid bonus equal to the difference between the amount already paid to him and the amount which would be due on the basis of the increased emoluments awarded above.

20. The Bank will further pay to the Union Rs. 150 (RUPEES HUNDRED AND FIFTY) only as costs of these proceedings. I make my award accordingly.

(Sd.) J. K. TANDON,

Presiding Officer.

[No. 51(28)/63-LRIV.]

New Delhi, the 28th December 1963

S.O. 95.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the Pandyan Bank Limited and their workmen which was received by the Central Government on the 21st December 1963.

## BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Monday the sixteenth day of December One thousand nine hundred and sixty three  
(25th day of Agrahayana 1885 Saka)

PRESENT

Shri S. Ganapatia Pillai, B.A., B.L.,

INDUSTRIAL TRIBUNAL

I.D. No. 15 of 1963

(Between the Workmen and the Management of Pandyan Bank Ltd., Madurai).

BETWEEN

Pandyan Bank Employees Union, 233, Angappa Naicken Street, Madras-1.

AND

The Management of the Pandyan Bank Ltd., having its registered office at Tirumangalam, Madurai in all its branches in the Indian Union number: 84 including the Central Office at Madurai represented by the Chairman Board of Directors Pandyan Bank Ltd., Madurai and the General Manager Pandyan Bank Ltd., Madurai.

REFERENCE: Order No. 55(3)/63-I.R.V dated 22nd February 1963, Ministry of Labour and Employment, Government of India.

- Issue 1.* Whether the 91 employees of the bank employed in its various branches in the Indian Union, whose names and designations are given in the reference are workmen or non-workmen within the meaning of the Section 2(S) of the Industrial Disputes Act, 1947 by virtue of the nature of actual duties performed by them and whether the Award of the National Industrial Tribunal (Bank Disputes) otherwise known as the Desai Award shall govern the aforesaid 91 employees.
2. Is the method of fitment adopted by the Bank in re-fixing the basic pay of the workmen in terms of the provisions of the Desai Award correct? Are the workmen entitled, in terms of the provisions of Desai Award at Paragraphs 5.347 to 5.361 to one additional increment over the basic pay as re-fixed by the Bank?

This dispute coming on for final hearing this day upon perusing the claim and counter statements, the joint application for withdrawal of the dispute and the other material papers on record this Tribunal passed the following:—

## AWARD

This reference made by the Government of India, Ministry of Labour and employment under sub-section (1) of Section 7A and sub-section (2) of S. 10 of the Industrial Disputes Act, 1947, relates to issues in dispute between the workmen of the Pandyan Bank Ltd., and the Management thereof.

The issues are:—

- (1) Whether the 91 employees of the bank employed in its various branches in the Indian Union, whose names and designations are given in the reference are workmen or non-workmen within the meaning of the Section 2(S) of the Industrial Disputes Act, 1947 by virtue of the nature of actual duties performed by them and whether the Award of the National Industrial Tribunal (Bank Disputes) otherwise known as the Desai Award shall govern the aforesaid 91 employees.
- (2) Is the method of fitment adopted by the Bank in re-fixing the basic pay of the workmen in terms of the provisions of the Desai Award correct? Are the workmen entitled, in terms of the provisions of Desai Award at Paragraphs 5.347 to 5.361 to one additional increment over the basic pay as re-fixed by the Bank?



Pending this dispute, the Canara Bank Ltd., has taken over the assets and liabilities of the Pandyan Bank with effect from 2nd December 1963. From that date various branches of the Pandyan Bank Ltd., are functioning as branches of the Canara Bank Ltd., and Pandyan Bank has ceased to carry on banking business as from 2nd December 1963. The entire body of the employees of the Pandyan Bank Ltd., has been taken over by the Canara Bank Ltd., in terms of the settlement arrived at between the Management of the Canara Bank and the Management of the Pandyan Bank. The Pandyan Bank Employees' Union representing the employees of the Pandyan Bank is a signatory to this agreement.

Under clause 27 of the terms of settlement between the two managements to which Pandyan Bank Employees' Union is also a party, the Union had agreed to withdraw the reference pending before this Tribunal within 10 days from the date of taking over. As a consequence of this agreement, both parties have to-day presented before me a joint application for withdrawal of the dispute now pending before this tribunal.

It is represented by the representative of the Union that the terms and conditions of service in the Canara Bank Ltd., which is a "A" Class Bank are better than the terms and conditions obtaining in the Pandyan Bank which is a "C" Class Bank. The Tribunal therefore accords permission to withdraw the dispute as not pressed by both parties.

There will be an award accordingly that the dispute is withdrawn. There will be no order as to costs.

(TRUE COPY)

#### LIST OF WITNESS

For Management : 'NIL'  
For Workers : 'NIL'

#### DOCUMENTS MARKED

For Management side:

- Ex. M-1 Service regulations of Pandyan Bank.
- Ex. M-2 Power of Attorney specimen.
- Ex. M-3 Circular issued by the Managing Director, dated 4th September 1952.
- Ex. M-4 Circular on advances against fixed deposit dated 18th April 1956.
- Ex. M-5 Circular on jewel loans by the Managing Director, dated 22nd June 1951.
- Ex. M-6 Circular on jewel loans by the Managing Director, dated 22nd May 1950.
- Ex. M-7 Circular on misc. expenses by the Managing Director, dated 27th May 1952.
- Ex. M-8 Transfer orders of P. Varadachari, Senior Accountant and of K. V. Gopalakrishnan, dated 10th May 1960.
- Ex. M-9 Transfer orders of L. Narayanaswami and his reply, dated 9th May 1960.

For Workers' side: 'NIL'.

Sd./- S. GANAPATHIA PILLAI,

Industrial Tribunal.

Sd./- Illegible,

Head Ministerial Officer.

[No. 55(3)/63-LRIV.]

New Delhi, the 30th December 1963

S.O. 96.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the Chaldean Syrian Bank Limited and their workmen which was received by the Central Government on the 24th December 1963.

## BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Thursday the nineteenth day of December One thousand nine hundred and sixty three.

(28th day of Agrahayana 1885 Saka)

PRESENT

Shri S. Ganapatia Pillai, B.A., B.L.,

INDUSTRIAL TRIBUNAL

I.D. No. 33 of 1963.

(Between the Workmen and the Management of Chaldean Syrian Bank Ltd.,  
Tiruchur)

BETWEEN

The Secretary, Chaldean Syrian Bank Ltd., Post Box No. 26, Head Office: Tiruchur.

AND

The President,

The Coimbatore District Bank Employees Association, 10/1, Cox Street, Coimbatore

REFERENCE:

Order No. 51(15)/63-LRIV dated 26th July, 1963, Ministry of Labour and Employment, Government of India, New Delhi.

ISSUE:

"Whether the management of Chaldean Syrian Bank Ltd., was justified in deducting the wages due to Shri Inasu for the 3rd February, 1962, and, if not, to what relief is he entitled?"

This dispute coming on for final hearing on Wednesday the 18th day of December, 1963, before me, upon perusing the claim and counter statements and other material papers on record and upon hearing the arguments of Mr. C. S. Ramaswami, General Secretary of the Union for the Workers and Mr. F. C. George, Law Officer of the Bank for the management bank, the Tribunal passed the following.

AWARD

This reference made by the Government of India, Ministry of Labour and Employment, under S. 7-A and clause (d) of sub-section (1) of Section 10 of the I.D. Act 1947, raises an interesting question as to the rights of an employee of a bank to avail casual leave.

One Sri K. L. Inasu was employed as a senior clerk in the Coimbatore branch of Chaldean Syrian Bank Ltd., on 2nd February, 1962. He had been transferred to that branch from Calicut branch on the 14th or 15th October preceding. At about 8 P.M. on 2nd February, 1962, he presented a casual leave application to the Agent of Coimbatore branch asking for grant of casual leave for the following day 3rd February, 1962, which was a Saturday, to enable him to go to Calicut. His intention was that he should remain at Calicut on Saturday and the following Sunday and return to duty on Monday following.

In his leave application, Ex. M-3, which is drawn up in Malayalam, grounds of leave are stated to be "urgent matter which had to be attended to and which could not be fulfilled in one day". He handed over the duplicate keys of iron safe of which he was in custody along with the casual leave application. According to the rules and bye-laws of the Bank the Agent had no power to grant or refuse casual leave, but he was bound to forward the application to the Central Office and the authorities at the Central Office alone had the power to grant or refuse such leave.

The evidence of the Agent who was examined as M.W. 1 is to the following effect: When handing over the leave application the clerk placed on the table of the Agent duplicate keys of the safe and told him he wanted leave definitely. The Agent informed him that leave could be sanctioned only by the Head Office and that he could accept the keys only if leave was sanctioned by the Head Office, but he did not refuse to take the keys. He further told him that he would merely forward the leave application because the clerk had not disclosed the purpose or reason for the leave. He forwarded the application with the remarks—"Previous information given but not recommended". There was an allegation put to this witness that the words, "but not recommended" were subsequently interpolated. But on the facts of this case this allegation has no significance as I would presently show.

The Agent is definite on this point that the clerk never told him the reason for applying for leave, even though he had requested the clerk to mention at least one reason out of the many reasons which he had. The clerk refused to comply with this request of the Agent. There were 4 clerks working in the Colimbatore branch on 2nd February, 1962, of whom the clerk who applied for leave, Sri Inasu, was the senior-most clerk.

As soon as the Central Office received the leave application, they returned it with the endorsement that the clerk should disclose the reason for the trip to Calicut which he undertook on 3rd February, 1962. The Central Office further enquired whether the clerk could not have attended to the work at Calicut on a holiday. In reply to this enquiry the clerk stated that the work was an urgent matter which had to be immediately attended to and that it could not be finished in one day. In this reply, admittedly the clerk did not disclose the nature of the work he had in Calicut on 3rd February, 1962 and 4th February, 1962. After receiving this clarification given by the clerk, the Central Office again returned the application asking the clerk to disclose the reasons for his absence and specifically informed him that unless the reason was disclosed, the Central Office could not find out what was the reason for the absence and could not also make up their mind whether the work was unavoidable and was of an urgent nature. In reply to this second query made by the Central Office, the clerk added a clarification that the work was of a personal nature and was urgent and unavoidable. After these two explanations were given by the clerk, the Central authorities refused the leave applied for with the consequence that they directed that one day's salary be deducted from the salary of Sri Inasu for the month of February, 1962 payable to him.

After receiving this order the clerk sent an application, Ex. N-4 dated 22nd March, 1962, to the Secretary of the Bank asking the authorities, namely, the Board of Directors to review the previous decision. Even in this application beyond saying that he had many matters to attend to in Calicut he did not specify what those matters were. When he received no reply to this communication the clerk sent an appeal petition to the Board. Even then he did not clarify the nature of the personal affairs which required his presence immediately at Calicut on 3rd February, 1962. The appeal was dismissed.

The clerk admitted in his evidence that when the application was presented, he did not indicate the nature of his personal work which required his presence at Calicut even to the agent. It is elicited from the clerk that in the year 1962 he had availed all the casual leave due to him. It is also alleged that he was in the habit of exhausting all his casual leave in all the years. The clerk further admitted that this was the first instance during his service of more than 30 years the management had refused casual leave to him.

In these circumstances the question for consideration is whether the action of the management in refusing leave and withholding salary for one day is justified.

Both under Sastry Award and Desai Award, the privilege of casual leave granted to the employees of banks is set out *in extenso* in more than one paragraph.

Paragraphs 483, 484 and 485 at pages 135 and 136 of the Sastry Award deal with this question. In substance these provisions provided for the following:

An employee would be entitled to a maximum of 12 days casual leave in each calendar year. Casual leave shall be non-cumulative. Ordinarily, previous permission of the sanctioning authority should be obtained before taking such leave. When this is not possible the said authority shall as soon as practicable be informed

in writing or orally of the employee's absence from work, reason thereof and of the probable duration of such absence. Workman on casual leave shall be entitled to pay and allowances as if he was on duty. Casual leave is only intended to meet special or unforeseen circumstances for which provision cannot be made by exact rules.

The Desai Award reiterates the nature of casual leave as a kind of leave intended to meet special or unforeseen circumstances. It proceeds to elaborate at page 226 that some of the banks complained that such leave had been lightly applied for or had been enjoyed without prior intimation for reasons which could not justify taking of such leave. The award therefore clarified the position thus: This leave is really intended to cover special, emergent or unforeseen circumstances and cannot be taken on the footing that it is the right of workmen to take the same upto the maximum limit provided whether such circumstances exist or not. It cannot be regarded as an accrued unconditional benefit which has to be enjoyed whether the conditions provided for its enjoyment exist or not. Any absence from duty without satisfying the requisite conditions under which such leave may be taken would justify any bank in not treating the employee as on casual leave but as being absent without leave. Even where leave has been applied for and granted and the reasons given for such leave have been subsequently found to have been falsely given, the bank would be at liberty after giving the employee an opportunity to be heard in the matter, to treat the workman as if he had been granted leave without pay. That would be without prejudice to any other action the bank may under the circumstances be entitled to take against the workmen. The Desai Award also dealt with special casual leave with which we are not concerned in this case.

Having regard to these principles enunciated in the two awards relating to this matter, it will be obvious that it is the duty of an employee applying for casual leave to disclose the nature of the business which compels him to apply for such leave. Such disclosure of the nature of the business is necessary to enable the authorities to decide whether the business is really urgent and unforeseen and could not be attended to during normal holidays. To enable the authorities to decide these matters certainly the clerk in this case must have indicated with sufficient plentitude the nature of the urgent business which required his absence from duty. It is only in the last application which he sent to the Board by way of an appeal the clerk mentioned that he had to settle accounts at Calicut. That was one of the businesses he had there. The clerk was transferred from Calicut in October 1961. Many normal holidays had occurred between October 1961 and the beginning of February 1962 when the clerk applied for casual leave. The evidence discloses that the clerk persistently refused to disclose the nature of his work and the only inference possible is that if the real purpose of his visit to Calicut was disclosed it would not be of an urgent nature or unforeseeable nature or of a sudden occurrence. Having regard to these circumstances, the conduct of the clerk in refusing to disclose the nature of his business at Calicut left no option to the authorities but to refuse the leave.

Even during the present enquiry at my suggestion the Management was willing to pay one day's salary to the clerk if he would give a letter of regret undertaking not to apply frivolously thereafter for casual leave. But for reasons best known to himself the clerk refused to give such a letter. On merits, therefore, I uphold the action of the Management.

The management raised a contention that the reference itself was incompetent because the dispute was an individual dispute which was not sponsored by any union. From the papers accompanying the reference made by the Government of India I see that the dispute has been sponsored by the Coimbatore District Bank Employees' Union. This contention has therefore no force and is over-ruled.

My finding on the question for determination is that the management of Chaldean Syrian Bank Limited was justified in deducting the wages due to Sri Inasu for the 3rd February 1962.

There will be an award accordingly. There will be no order as to costs.

(Sd.) S. GANAPATHI PILLAI,

Industrial Tribunal.

(Sd.) Illegible,  
Head Ministerial Officer.

(True Copy)

Witnesses Examined for the Workers:

Sri K. L. Inasu, Sheroff.

W.W. 1

**Witnesses Examined for the Management:**

Sri C. L. Thomas, Agent

M.W. 1.

**Documents marked for the Workers:**

NIL.

**Documents marked for the Management:**

- Ex. M-1 Dated 16th April, 1962—Copy of letter from the Agent to Sri K. L. Inasu.
- Ex. M-2 Series dated 20th February, 1962, 8th June, 1962 and 21st March, 1962—Copy of letter from the Agent to Sri K. L. Inasu, Letter from the Agent to the Central Office, and Copy of Memo from the Agent to Sri K. L. Inasu respectively.
- Ex. M-3 Dated 2nd February, 1962—Application for casual leave by Sri K. L. Inasu.
- Ex. M-4 Dated 22nd March, 1962—Application by Sri K. L. Inasu (in Malayalam).
- Ex. M-5 Dated 10th July, 1962—Copy of letter to the Regional Labour Commissioner, Vepery, Madras by the Management submitting their comments.

[No. 51(15)/63-LRIV.]

**S.O. 97.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the Calcutta Insurance Limited and their workmen which was received by the Central Government on the 24th December 1963.

[No. 70(5)/63-LRIV.]

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**ORDERS***New Delhi, the 24th December 1963*

**S.O. 98.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, of which Shri Mohd. Abdul Razzaque shall be the Presiding Officer and which shall have its headquarters at Indore, and refers the said dispute for adjudication to the said Industrial Tribunal.

**SCHEDULE**

Whether in view of the fact that Shri Mastan Singh Chawla, clerk Jawahar Ganj Branch, Jabalpur was re-appointed after a break of ~~one~~ day, he should be deemed to be in continuous employment? If so to what relief is he entitled?

[No. 51(72)/63-LRIV.]

*New Delhi, the 30th December 1963*

**S.O. 99.**—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court, Madras, constituted by the Order of the Government of India in the Ministry of Labour and Employment No. S.O. 461, dated the 5th February, 1963;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri M. A. Jamal Hussain as Presiding Officer of the Labour Court constituted as aforesaid.

[No. 55(65)/63-LRIV.]

### **CORRIGENDA**

*New Delhi, the 27th December 1963*

**S.O. 100.**—In Order of the Government of India in the Ministry of Labour and Employment No. 70(6)/63-LRIV, dated the 7th November, 1963, published as S.O. 3196 on pages 4013 and 4014 of the Gazette of India, Part II, Section 3, sub-section (ii), dated the 16th November, 1963;—

In the Schedule, in line 2—

insert "Bombay" after "Vulcan Insurance Company Ltd.,"

[No. 70(6)/63-LRIV.]

*New Delhi, the 28th December 1963*

**S.O. 101.**—In the Order of the Government of India in the Ministry of Labour and Employment No. 28/54/63-LRIV, dated the 28th November 1963 published as S.O. No. 3382 on page 4166 of the Gazette of India, Part II, Section 3, sub-section (ii), dated the 7th December 1963—

In the entries to the Annexure, in the heading "List of categories submitted by the Bombay Port Trust Workers' Union,"—

for "Bombay Port Trust Workers' Union"

read "Bombay Port Trust General Workers' Union".

[No. 28/54/63-LRIV.]

B. R. SETH, Dy. Secy.

*New Delhi, the 26th December 1963*

**S.O. 102.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factory in an implemented area, the Sanitary Store Workshop of New Delhi Municipal Committee from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a period of one year with effect from the 7th January, 1964.

[No. F. 6(132)/63-HI.]

### **ORDER**

*New Delhi, the 24th December 1963*

**S.O. 103.**—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the seasonal nature of the industry carried on in the factory, hereby exempts, for a further period of one year with effect from the 1st January, 1964, every factory which is exclusively engaged in wool pressing either with or without cotton pressing and ginning, from the payment of the employers' special contribution leviable under Chapter V A of the said Act.

[No. 7(20)/63-HI.]

R. M. DOIPHODE, Dy. Secy.